Pa Senate of Pennsylvania

VOTES

AND

PROCEEDINGS

OF THE

Houſe of Repreſentatives

OF THE

PROVINCE of *PENNSYLVANIA.*

Beginning the Fifteenth Day of *October*, 1744.

VOLUME The *FOURTH.*

PHILADELPHIA:

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MDCCLXXIV.

BRITISH MUSEUM

VOTES

OF THE

HOUSE of REPRESENTATIVES.

At an ASSEMBLY *held in* Philadelphia, *the Fifteenth Day of* October, Anno Domini 1744.

BY the Returns of the Sheriffs of the reſpective Counties, it appears that the following Gentlemen are duly choſen to ſerve in Aſſembly as Repreſentatives of the Freemen of the Province of *Pennſylvania* for the Year enſuing, *viz.* 1744. Oct. 15.

For *Philadelphia* County.	*Bucks* County.	*Cheſter* County.
Iſaac Norris,	*John Hall,*	*George Aſhbridge,*
Thomas Leech,	*Mark Watſon,*	*Francis Yarnal,*
John Kinſey,	*Mahlon Kirkbride,*	*Joſeph Pennock,*
Robert Jones,	*Abraham Chapman,*	*Samuel Levis,*
Edward Warner,	*Benjamin Field,*	*James Gibbons,*
James Morris,	*John Watſon,*	*Joſeph Harvey,*
Owen Evans,	*Garrat Vanſant,*	*Thomas Cummings,*
Joſeph Trotter.	*Joſeph Shaw.*	*Thomas Chandler.*

For *Philadelphia* City.
Iſrael Pemberton, } Burgeſſes
Oſwald Peele. }

Lancaſter County.

James Mitchel,	*Arthur Patterſon,*
John Wright,	*Samuel Blunſton.*

And a Quorum being met, proceeded according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and *John Kinſey,* Eſq; was unanimouſly choſen Speaker of this Aſſembly, and accordingly placed in the Chair.

Ordered, That *Thomas Leech, Oſwald Peele, John Hall, George Aſhbridge* and *James Mitchel,* wait upon the Governor and acquaint him, that in Purſuance of the Charter of Privileges and Laws of this Province, a Quorum of the Repreſentatives have met and choſe their Speaker; and deſire to know when the Governor will be pleaſed to receive the Houſe that they may preſent their Speaker.

The Gentlemen return and report, That they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would receive the Houſe To-morrow at Twelve o'Clock.

Then the Houſe adjourned to Twelve o'Clock To-morrow Morning. Adjournment

The Speaker with the whole Houſe waited upon the Governor. Oct. 16.

And being returned, the Speaker reſumed the Chair, and reported, That the Houſe had waited upon the Governor and preſented their Speaker, and that the Governor was pleaſed to approve their Choice. That the Speaker had thereupon made the uſual Claim of Privileges, *viz.*

That the Houſe during the Time of their Sitting in Aſſembly may enjoy Freedom of Speech in all their Propoſitions and Debates.

That the better to diſcharge the Buſineſs of the Public, they may at all ſeaſonable Times have free Acceſs to the Governor.

That their Perſons and Eſtates may be protected from all Arreſts and Moleſtations during the Time of Privilege accuſtomed.

That the Governor would be pleaſed not to hearken to any Report that may be made to him, touching any Matter debated in the Houſe, until ſuch Time as it ſhall have paſſed into a Reſolve; nor give any Credit to ſuch Report.

That if the Speaker in reporting any Thing to the Governor as the Senſe of the Houſe,

1744. Oct. 16. chance to be miſtaken, ſuch Miſtake may not be imputed to the Houſe; but that he may have Liberty to reſort to them for their true Intent and Meaning, and that the Miſtake may be excuſed.

All which the Speaker had requeſted as the juſt Rights and Privileges of the People of *Pennſylvania*, derived and confirmed to them by the Charter and Laws of this Province. To which the Governor was pleaſed to anſwer, That as long as he had any thing to do with the Adminiſtration of the Government, thoſe Privileges ſhould be inviolably preſerved to the Aſſemblies of this Province.

Then the Qualification by Law directed was taken and ſubſcribed, firſt by the Speaker in the Chair, and afterwards at the Table by the reſt of the Members preſent in their Order.

Reſolved, That *Benjamin Franklin* be Clerk of this Houſe for the enſuing Year.

And he accordingly took and ſubſcribed the uſual Qualification of a Clerk.

Reſolved, That *Samuel Kirk* be Serjeant at Arms to this Houſe for the enſuing Year.

Reſolved, That *Thomas Burden* be Doorkeeper to this Houſe for the enſuing Year.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor by his Secretary ſent down a written Meſſage to the Houſe, which follows in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. ‘AS it is the Duty of my Station to be at all Times watchful over the Intereſts of the Province under my Government, and as nothing more eſſentially concerns them ‘than the Security of its Trade and Navigation, I think myſelf indiſpenſably obliged to lay ‘hold of the firſt Opportunity of delivering to you my Sentiments upon a very late Inci‘dent; which, as it cannot but have come to your Knowledge, muſt have in ſome De‘gree engaged likewiſe your Thoughts before your meeting together; that is, the take‘ing four Veſſels upon our Coaſt by a *French* Privateer Ship of conſiderable Force, and ‘the Captain's giving the Men Leave to go on Shore, with this contemptuous Circum‘ſtance, that he was too well acquainted with *Philadelphia* to apprehend their ſending out ‘any thing to attack him, and that he therefore deſigned to cruize a Fort'night longer in ‘the ſame Place. If he did not ſtay out that Time, it may be concluded he did his Buſineſs ‘ſooner, and from the Succeſs he met with, that this Ship and the two Privateer Brigan‘tines equipped at *Louiſbourg* at the ſame Time, will ſoon return to an Harveſt plentiful, ‘and to be reaped without Danger.

‘Is it not a Reproach to the Name of *Engliſhmen*, to ſuffer themſelves to be thus in‘ſulted, when they have the Means in their Hands to maintain their ancient Character? ‘For under proper Regulations a Ship might have been equipped in a few Days, capable ‘of driving this Privateer from the Coaſt, or of bringing her in. And will not your ‘Trade be entirely ruin'd, when the Enemy are convinced by Experience, that they ‘may not only cruize upon your Coaſt, but block up your Port with Impunity? The ‘*French* in *America* ſeem'd at firſt unprepar'd for the War, but now they begin to act, ‘and it is highly probable their Privateers will ſwarm upon our Coaſt next Summer, ‘if we do not put ourſelves into a Condition to act againſt them, to convoy our Veſſels ‘off, and to protect them when they come upon our Coaſt. The Governments of *New‘England*, *Rhode-Iſland* and *Connecticut*, enter'd early into this Method of ſecuring their ‘Trade, and *Virginia* has been lately obliged, from the Diſability of the King's Ship ‘upon that Station, to do the ſame.

‘It is not difficult to foreſee the ill Conſequences that will enſue upon a Want of ‘Attention, or an ill-timed Parſimony, in a Matter of this Importance. If the *Britiſh* ‘Merchants, as well as our own, are not as well protected by this as by other Govern‘ments, the Trade of this City will be ſoon at an End; for no Man will carry it on at ‘a certain Loſs. From hence will follow the Loſs of your Shipbuilding; and the Ship‘wright, Smith, Joiner, and all the other Artificers concerned in equipping that noble ‘Machine, muſt ſeek for Employment elſewhere; and when this Trade is once loſt, the ‘Example of a neighbouring City ſhews that it is not eaſily to be recovered. This whole ‘City indeed, in ſome way or other, depends upon the Merchant, and if he cannot trade ‘to Advantage, it will be ſoon very ſenſibly felt by the Whole. Even the Farmer, who ‘is too apt to conſider the Landed and the Trading Intereſt in Oppoſition to each other, ‘muſt confine his Produce to the Conſumption of his own Family, if the Merchant is ‘diſabled from exporting it to foreign Markets.

‘In Oppoſition to the fitting out a Veſſel for the Protection of your Trade, I know it ‘has been ſaid, that it is a needleſs Expence to the Province, ſince the King's Ships, ſta‘tioned at *New-York* and *Virginia*, are ſufficient to clear the Coaſt of the Enemies Priva‘teers. But we are now convinced, from Experience, that the King's Ships have been or‘dered upon other Services, and that what with the Deſertion of their Seamen, and their ‘being out of Repair at their Return to their Stations, the whole Summer has been ‘ſpent before they could put to Sea again.

October 16, 1744. *GEORGE THOMAS.*"

The

1744. *Oct.* 16.

The Message being read, was referred to further Consideration.

Resolved, That *Richard Patridge*, Esq; be the Agent of this Province at the Court of *Great-Britain* for the ensuing Year.

Ordered, That *Isaac Norris*, *Thomas Leech* and *Israel Pemberton* be (with the Speaker) a Committee of Correspondence.

Ordered, That *Isaac Norris*, *James Morris*, *Edward Warner*, *Abraham Chapman*, *Joseph Harvey* and *Samuel Blunston* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts for the current Year; and to sink and destroy the old Bills of Credit received in Exchange, pursuant to the last Paper-Money Act; and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis* and *James Mitchel* be a Committee of Aggrievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *Thomas Leech* and *Israel Pemberton* be a Committee to revise the Minutes before they are printed.

A Petition from *Jacob Mellor*, late Tenant of the Province Island, was presented to the House and read, praying, that in Consideration of his necessitous Circumstances, *&c.* the Action commenc'd against him by the Trustees of the Island, for Rent, *&c.* due from him, may be ordered to be withdrawn. *Ordered to lie on the Table.*

A Petition from *James Alcorn*, Constable of *Paxton* Township, with an Account annex'd of Charges paid by him in bringing the *Indian Mishemelin* to Prison, was presented to the House and read, praying Payment of the said Account, and an additional Allowance for his Trouble. *Ordered to lie on the Table.*

A Petition from *John Ryan*, a languishing Prisoner in the Goal of *Philadelphia*, was presented to the House and read, praying, for the Reasons therein mentioned, that the House would procure his Enlargement. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Oct. 17.

The Governor's Message was again read and considered, and referred to farther Consideration.

The Governor by his Secretary sent down to the House a Copy of the Minutes of Council at the late Treaty with the *Delaware Indians*, together with a Letter from *Conrad Weiser* relating to the *Indian* Affairs, which were read, and the Treaty ordered to be printed with the Minutes of this House.

A Bill for the speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province, was brought in and read the first time, and ordered a second Reading.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Post Meridiem.

The Bill for the speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province, was read a second time, and ordered to be transcribed for a third Reading.

The Governor by his Secretary sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'BY the last Vessel from *Bristol*, I received a Letter from the Proprietaries, enclosing a Copy of a Bill brought into the House of Commons last Session, by Sir *John Barnard*, Colonel *Bladen*, and Mr. *Fane*, in Consequence of a Petition signed by Twenty-four Merchants, to prevent the issuing Bills of Credit in the Colonies as a Tender for the Payment of Debts. The Bill was ordered to be printed, that it may be considered next Session. The Gentlemen who brought it in, being of great Figure and Weight in the House, it is concluded that it will be well supported. The Governor's Message

'As the Interest of this Province may be greatly affected by this Bill, I think it highly adviseable, that you immediately prepare a Set of Instructions, and transmit them by the first Opportunity, for obviating any Objections that may be raised against the Paper Currency here. Mr. *Patridge*, as Agent for *Rhode-Island*, has already engaged Mr. *Paris* in Behalf of that Colony.

October 17, 1744. *GEORGE THOMAS.*"

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Oct. 18.

The Bill for the more speedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Arthur Patterson* and *James Mitchel* wait upon the Governor with the Bill, and desire his Concurrence.

The Gentlemen return and report, that they delivered the Bill to the Governor according to Order, and that he was pleased to say he would give it all the Dispatch he could.

The House resumed the Consideration of the Governor's Messages, and the Papers therewith

1744. *Oct.* 18. therewith laid before the Houſe. And the Copy of the Bill lately brought in Parliament relating to the Paper Currency in the Plantations (one Clauſe of which is intended to give the Force of Laws to all ſuch Inſtructions as the Crown ſhall from Time to Time ſend to the Plantation Governments) being again read, it is recommended to the Committee of Correſpondence to draw up proper Inſtructions to the Agent thereupon.

Ordered, That the Sum of *One Hundred Pounds* Sterling be tranſmitted to the Agent with the ſaid Inſtructions.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor by his Secretary ſent down the Bill for the ſpeedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province, with a verbal Meſſage, expreſſing his Concurrence thereto, and Readineſs to paſs it into a Law.

The Houſe reſuming the Conſideration of the ſeveral Meſſages received from the Governor,

Reſolved, That *Samuel Levis* and *Abraham Chapman* do wait upon the Governor, and return him the hearty Thanks of the Houſe for the Care he has ſhewn for the Province, particularly reſpecting *Indian* Affairs; and acquaint him, that the Houſe have given Directions to their Committee of Correſpondence to prepare Inſtructions for their Agent, the better to enable him to oppoſe the Bill lately brought into Parliament, of which the Governor was pleaſed to ſend them a Copy: A Bill which, if paſſed into a Law, appears to the Houſe deſtructive of all their Liberties, and likely to be attended with the moſt dangerous Conſequences to all the King's Subjects in *America*. That they have ordered a Sum of Money to be remitted to their Agent, for defraying the Expences which ſhall ariſe on the Oppoſition directed to be given to this Bill. That, as the Governor is in a few Days Time to be at *Newcaſtle*, and it will be inconvenient to divers of the Members to ſtay long at this Seaſon of the Year; and as the Houſe are of Opinion no great Inconvenience can ariſe by their not giving a more particular Anſwer to the Governor's firſt Meſſage, they hope he will not take it amiſs that they chuſe to defer the ſame until the next Sitting of Aſſembly.

And the Gentlemen are farther to deſire to know when the Governor will be pleaſed to receive the Houſe, in order to the enacting into a Law the Bill that has paſſed the Houſe with his Concurrence.

They return and report, that they delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would be ready to paſs the Bill To-morrow at Twelve o'Clock.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Oct. 19. *Reſolved*, That the Houſe will this Day adjourn to the 7th of the next 11th Month.

Ordered. That *Oſwald Peele* and *John Hall* wait upon the Governor and acquaint him, that the Houſe intends to adjourn to the 7th of the Eleventh Month next, if the Governor hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment.

Then the Speaker left the Chair, and with the whole Houſe waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported, that he had, with the whole Houſe, waited upon the Governor, with the Bill for the ſpeedy Trial of Capital Offences committed by any *Indian* or *Indians* in the remote Parts of the Province; to which the Governor was pleaſed to give his Aſſent by enacting the ſame into a Law; and that *Thomas Leech* and *James Morris* were appointed by the Speaker to ſee the Great Seal affixed to the ſame, and the Act depoſited in the Rolls Office.

Adjournment Then the Houſe adjourned to the 7th of the next 11th Month.

11th Mo. 7. THE Houſe met, according to their Adjournment.

Ordered, That *James Morris* and *Joſeph Trotter* wait upon the Governor, and acquaint him, that the Houſe are met in Purſuance of their Adjournment, and that, if he hath any thing to lay before them, they are ready to receive it.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 8. The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he had nothing at preſent to lay before the Houſe, but was ready to receive any thing they may have to lay before him.

The Gentlemen appointed laſt Sitting to ſee the Great Seal affixed to the Law then made, report, that they ſaw the ſame done, and delivered the Law into the Rolls Office to be recorded.

The Governor's Meſſage of the 16th of *October*, was read and conſidered, and the further Conſideration thereof adjourned to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

The

The Houſe reſuming the Conſideration of the Governor's Meſſage, 1744

Ordered, That *Iſrael Pemberton*, *Edward Warner*, *John Watſon*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the ſame. *11th Mo.* 8. *Poſt Meridiem.*

Ordered, upon Motion, That *Iſrael Pemberton*, *Owen Evans*, *John Wright*, *John Watſon* and *Joſeph Harvey* be a Committee to reviſe the Flour Act, and report what Amendments they find proper to be made thereto.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *John Ryan* was preſented to the Houſe and read, praying, for the Reaſons therein mentioned, that the Houſe would relieve him from his long and languiſhing Confinement. *11th Mo.* 9. *Ordered to lie on the Table.*

Iſaac Norris, one of the Repreſentatives choſen for the County of *Philadelphia*, appeared in the Houſe, and took and ſubſcribed the Qualifications appointed by Law to be taken by the Members of this Houſe.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Robert Jones, one of the Repreſentatives for the County of *Philadelphia*, appeared in the Houſe, and being qualified according to Law, took his Place in the Houſe. *Poſt Meridiem.*

A Petition from a Number of the Inhabitants of *Philadelphia*, ſetting forth, that by the Indulgence of the laſt Aſſembly they had an Opportunity of peruſing the Bill, propoſed by the Mayor and Commonalty of the ſaid City, for regulating the Nightly Watch within the ſame; and do conceive a Regulation abſolutely neceſſary for their common Security, the preſent Watch being of little Service, and the Charge of maintaining it very unequal; and therefore praying, that the Houſe would prepare a Law to anſwer thoſe good Purpoſes, and that the Charge of ſupporting the ſame may be levied by an equal Aſſeſſment on the Eſtates of the Inhabitants, and that the Freemen of the City may be impowered to chuſe the Perſons to whom the Diſpoſition of the Money and the Care of the Watch is committed; was preſented to the Houſe and read, and ordered to lie on the Table.

Edmund Woolley's Account for Work done at the Statehouſe, was laid before the Houſe and read, and referred to the Committee of Public Accounts, with *Iſrael Pemberton* added to them, to conſider and report thereon to the Houſe.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Speaker acquainted the Houſe, that *Thomas Campbell*, at whoſe Suit *John Ryan* is confined, has, on being adviſed thereto, promiſed to diſcharge him out of Cuſtody. *11th Mo.* 10.

The Petition of a Number of the Inhabitants of the City of *Philadelphia*, relating to the Nightly Watch, was again read,

Ordered, That *Iſrael Pemberton*, *Oſwald Peele*, *Iſaac Norris*, *Thomas Leech*, *Edward Warner*, *James Morris* and *Joſeph Trotter* be a Committee to prepare a Bill for regulating the Nightly Watch of the City of *Philadelphia*, and that they bring in the ſame at the next Seſſion.

The Committee to whom *Edmund Woolley's* Account was referred, report, that they have examined, and do approve of the ſame.

Reſolved, That *Five Hundred Pounds* be now given the Honourable GEORGE THOMAS, Eſq; in Part of his Support for the current Year; and that an Order be drawn on the Treaſurer, and ſigned by the Speaker, for that Purpoſe. *Which was done accordingly.*

Reſolved, That the Houſe will this Day adjourn to the 22d Day of the next Second Month.

Ordered, That *Iſaac Norris* and *Thomas Leech* wait upon the Governor, and preſent him with the Order of the Houſe for his Support; and acquaint him, that the Buſineſs now before the Houſe not being in Forwardneſs for preſent Diſpatch, the Houſe intends to adjourn to the 22d of the next Second Month, if the Governor hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to thank the Houſe for the Sum they had preſented him with, and made no Objection to the propoſed Time of Adjournment.

Then the Houſe adjourned to the 22d Day of the next Second Month. Adjournment

THE Repreſentatives having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe met accordingly. *12th Mo.* 25.

Ordered, That *Thomas Leech* and *Iſrael Pemberton* wait upon the Governor and acquaint him, that the Houſe is met and ready to receive any Thing he may have to lay before them; and deſire a Copy of the Writs by which they were ſummoned.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe To-morrow Morning, together with the Writs by Virtue of which the Houſe was called.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Secretary attending without, was called in, and delivered a written Meſſage from *12th Mo.* 26.

1744. 12*th Mo.* 26. the Governor, with ſundry Papers referred to therein, and alſo the Writs by which the Houſe was called; and then withdrew.

The Meſſage was read, and follows in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. 'THE Papers, which I have ordered to be laid before you, will inform you of my 'Reaſon for calling you together before the Time to which you ſtood adjourned. 'The Government of *New-England* requeſts our Aid for the Reduction of *Cape Breton*. 'The Enterprize ſhews a fine Public Spirit in that People; and, if it ſucceeds, will 'be greatly for the Honour of his Majeſty, and the Intereſt of all his Colonies in *North* '*America*. The Conqueſt of *Louiſburg*, which is the only *French* Port of Conſequence, 'in this Part of the World, either for Strength or the Accommodation of large Ships, 'will baniſh all Apprehenſions for the future, of Maritime Attempts upon the Colo-'nies, or their Trade upon this Coaſt; but the Advantages to us, and to our Mother 'Country are ſo many, and ſo evident, that it will be loſing Time to enumerate them. 'Diſpatch, you will ſee, is the Life of the Undertaking: Let me recommend that to 'you, Gentlemen, with regard to a Proviſion of Money: I promiſe you, that the Diſpo-'ſition of it ſhall be diligently and faithfully made; and in ſuch a Manner, as you ſhall 'adviſe may be moſt for the Service it is intended to promote.

February 26, 1744-5. *GEORGE THOMAS.*"

Adjournment. Then the Houſe adjourn'd to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor's Meſſage, with the Papers therein referred to, was again read, and conſidered; and after ſome Time ſpent therein, the farther Conſideration thereof was referred to To-morrow Morning.

A Petition from *Elizabeth Chancellor*, Daughter and Executrix of *William Chancellor*, deceaſed, was preſented to the Houſe and read, ſetting forth, that in Purſuance of an Act of Aſſembly of this Province for ſecuring the City of *Philadelphia* from the Danger of Gunpowder, the Petitioner's ſaid Father did, at a conſiderable Expence, build a ſuitable Powder-Houſe for the Receipt of Gunpowder, at which due Care and Attendance has been hitherto given, to the general Satisfaction of the Merchants. But the Term granted by the ſaid Act being near expired, and little of the Eſtate, beſides the ſaid Powder-Houſe, being left for the Support and Education of the ſaid *William Chancellor's* young Children, the Petitioner prays that the Act may be renew'd, and the Term further continued in their Favour. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12*th Mo.* 27. The Houſe reſumed the Conſideration of the Governor's Meſſage,

Ordered, That *Iſaac Norris*, *Iſrael Pemberton*, *John Watſon*, *Joſeph Pennock* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſage, and report the ſame to the Houſe.

A Petition from the Overſeers of the Poor of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that by ſerving in that Office the preſent Year, they have had an Opportunity of ſeeing, that the Laws now in Force for the Relief of the Poor, want Amendment in ſeveral Particulars; that it is become too great a Burden for any three Men to collect the Tax of all *Philadelphia*, and at the ſame Time to take Care of the Poor, which have encreaſed with the City; that a Collector of the Tax appointed for each Ward, would render the Office eaſier, and Perſons qualified for it would not be ſo unwilling to accept of it; that if the Overſeers were to be choſen as the Commiſſioners of the County are, not all at once, and inveſted with Power to inſpect the Circumſtances of Strangers that come to reſide in the City, it would be a Means to make them better acquainted with their Duty, leſſen the Tax, and diminiſh the Number of our Poor; that the County Rate is not an equal or juſt Rule to go by, in taxing the Citizens; and that if the Overſeers were choſen by them, they would have a more equitable Right to aſſeſs them, as well as be better acquainted with their Circumſtances than the County Aſſeſſors generally are; that a Part of the Law exempting Mariners from giving Security, *&c.* wants Explanation; many poor Strangers, frequently gaining Settlements under Pretence of being Sailors, and become a Charge to the Inhabitants; that there is no Law to enable any to ſue for or receive Eſtates or Monies given to the Poor, or to ſettle Ground-rents in their Behalf; all which is humbly ſubmitted to the Conſideration of the Houſe, and Relief prayed therein.

Ordered to lie on the Table.

The Petition of *Elizabeth Chancellor* was again read and conſidered,

Ordered, That Leave be given the Petitioner to bring in a Bill, for the Purpoſes of the Petition, at the next Sitting of this Houſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12*th Mo.* 28. The Committee appointed to prepare an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe; and it was read and conſidered, and the further Conſideration thereof adjourned to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

The

The Answer to the Governor's Message was again read and considered, and ordered to be transcribed that it may be sent up to the Governor.

1744. 12 Mo. 28. Post Meridiem

And the same being accordingly transcribed, follows in these Words, *viz.*

May it please the GOVERNOR,

The Assembly's Answer to the Governor's Message

THE Message we last received, with the Papers to which the Governor was pleased to refer us for the Occasion of our being called together, we have taken into our Consideration, with that Attention and Regard the Importance thereof justly requires.

We are willing to suppose the Expedition intended by the Government of the *Massachusetts* against *Cape Breton*, is, as the Governor is pleased to express it, "the Result of a fine Public Spirit," and we would chuse to avoid any Remarks thereon which can justly give them Umbrage; and yet we cannot but think that if they expected the Assistance of the neighbouring Colonies, it is reasonable they should have consulted them, both as to the Enterprize and the Manner in which it was to be executed, whereas the present Scheme is wholly their own; and if the other Colonies do not accede to it, in the Manner it is now projected, it is too late for Alterations, how advantageous soever they might prove. If the Design succeed, they will be entitled to but small Part of the Honour; if it miscarry, they may indeed be time enough to share a principal Part of the Disgrace.

Permit us to add, that as the Assistance they expect from *Great-Britain*, or the King's Ships, seems to us uncertain; the Aids desired of the neighbouring Colonies, if granted, such as probably must come too late; the Attempt in itself extremely hazardous, the Danger which may arise from a Diversity of Opinions between Officers equal in Authority, independant of each other, without any Commander in Chief to control or direct them, great and unavoidable: In a Word, as there are no Directions from the Crown concerning it; the Sentiments of the Ministry, and how such a Procedure will be relished by our Superiors, unknown; and as it may possibly interfere with or disconcert their Measures; had we not other Reasons to determine us, we should think it not prudent to unite in an Enterprize, where the Expence must be great, perhaps much Blood shed, and the Event very uncertain."

The Message being signed by the Speaker, by Order of the House,

Ordered, That *Oswald Peele* and *Mark Watson* carry up the same to the Governor and acquaint him, that the House is inclin'd to adjourn to the 22d of the next Second Month, the Time of their former Adjournment.

The Petition of the Overseers of the Poor of the City of *Philadelphia*, was again read and considered,

Ordered, That *Thomas Leech*, *Edward Warner*, *James Morris*, *Joseph Trotter* and *Oswald Peele* be a Committee to inspect the Laws relating to the Poor, and report such Amendments as they find necessary to be made thereto.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he had no Objection to the proposed Time of Adjournment.

And it being moved, that *Peter Lloyd*, one of the Signers of the Paper Money lately printed, is deceased, and that Service not compleated,

Resolved, That *Thomas Lloyd* be a Signer of the Paper Money, in the Room of *Peter Lloyd*, deceased.

It being moved by the Trustees of the Province Island, that there is a Necessity of repairing the old Banks, or making some new ones; and that they cannot, without the Order of the House, make Use of the Money coming into their Hands, for that Purpose,

Ordered, That the said Trustees do make Use of the Money now in their Hands, for repairing the Banks or making new ones, as they shall judge most conducive to the public Benefit.

Then the House adjourned to the 22d of the next Second Month. Adjournment

THE House met pursuant to their Adjournment.

1745. 2 Mo. 22.

Ordered, That *James Morris* and *Oswald Peele* wait upon the Governor, and acquaint him, that the House is met pursuant to their Adjournment; and that, if the Governor hath any Thing to lay before them, they are ready to receive it.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, nothing proper for the Consideration of the House had occurred to him since their last Meeting; that if, during their Sitting, any Thing of that kind should arise, he would communicate it to them; and that if they had any Business to lay before him, he would give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House met, and adjourned to Three o'Clock, *P. M.* 2d Mo. 23. Post Meridiem.

Samuel Blunston, chosen a Representative for the County of *Lancaster*, made his Appearance in the House; and the Qualifications appointed by Law to be taken by the

1745. the Members of the Aſſembly, being taken and ſubſcribed by him at the Table, he took his Seat in the Houſe accordingly.

2d Mo. 23. The Committee appointed to reviſe the Flour Act, reported divers Amendments which they are of Opinion are neceſſary; and the ſaid Act was read with the Amendments, and ordered a ſecond Reading.

A Petition of a Number of the Inhabitants and Owners of Lots in the North End of the City of *Philadelphia*, and in the *Northern Liberties*, ſetting forth, that they are deterr'd from further building and improving on the ſaid Lots, by the near Situation of the Powder-Houſe, from whence they apprehend Danger; that many good Tenements would ſoon be begun, with Wharfs and Stores, contributing much to the additional Beauty and Advantage of the ſaid City and Neighbourhood, and the Employment of Artificers and Labourers, if that Obſtacle was removed; which would alſo expedite the erecting a new Market in the Place laid out for that Purpoſe, to the great Conveniency of the neighbouring Inhabitants now grown numerous, and of the Country People who ſhould be willing to ſupply it with Proviſions; and therefore praying the Houſe would direct a Powder-Houſe to be built in ſome other Place more ſuitable; was preſented to the Houſe and read, and ordered to lie on the Table.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

2d Mo. 24. A Petition of ſundry Inhabitants of the County of *Bucks*, ſetting forth, that there is a Dam erected over *Neſhamineh* Creek, at a Place formerly called *Langborne's Mill*, which obſtructs the Running of ſeveral Sorts of valuable Fiſh, and the Paſſing of Boats, Rafts, *&c.* to the Damage of the Inhabitants above the ſaid Dam; and praying that an Act may be paſſed for removing all Dams, Wears or Nets that are or may be placed in the ſaid Creek; was preſented to the Houſe and read, and ordered to lie on the Table.

A Petition from ſundry Inhabitants of the County of *Bucks*, was preſented to the Houſe and read, praying, that in the printed Votes of the Houſe, the Names of the Members voting for and againſt any Matter moved in the Houſe, may be annexed to the Queſtion, and diſtinguiſhed, that their Conſtituents may be acquainted with their Conduct.

Ordered to lie on the Table.

A Petition from *John Ryan* was preſented to the Houſe and read, ſetting forth, that he was bred in the mercantile Way, and underſtands no handicraft Trade; that though he now has his Liberty, he cannot ſupport himſelf without Buſineſs, and that requires a Stock, which his Misfortunes have deprived him of, and which he therefore prays the Houſe would ſupply him with out of the Public Treaſury. *Ordered to lie on the Table.*

A Petition of a Number of Inhabitants of the back Parts of *Philadelphia* County and Eaſtern Part of *Lancaſter* County, ſetting forth the Inconveniences they labour under by their too great Diſtance from Courts of Juſtice; and praying Leave to bring in a Bill for erecting thoſe Parts into a new County. *Ordered to lie on the Table.*

Ordered, That the Flour Bill be read a ſecond time in the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Flour Bill was again read, and after ſome Debate thereupon, it was committed to the Gentlemen that brought in the ſame, for Amendments.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

2d Mo. 25. The Petition from a Number of the Inhabitants of *Bucks* County, relating to Obſtructions on *Neſhamineh* Creek, was again read and conſidered,

Ordered, That Notice be given to the Owner of the Mill of this Petition; and that the Subſtance of it be inſerted in the *Pennſylvania* Gazette, that any other Perſons concerned in the Affair may have an Opportunity of being informed of the Contents thereof.

The Governor by his Secretary ſent down to the Houſe two written Meſſages, together with a verbal Meſſage, that in Purſuance of the Information he had received in a Letter from *Conrad Weiſer*, (which he laid before the Houſe) he had, according to the *Indian* Cuſtoms, made a ſmall Preſent to *Shick Calamy*, to wipe the Tears from his Eyes, occaſioned by the Loſs of his Son.

The written Meſſages were read, and follow in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. 'SEVERAL of the Inhabitants of the back Parts of *Philadelphia* and *Lancaſter* Counties, having renewed their Petition to me, ſetting forth the Inconveniences they 'labour under, on Account of their great Diſtance from the County Courts, and praying that a new County may be erected, agreeable to the Lines marked in a Map of the 'Province formerly delivered; I repeat to you what I ſaid to a former Aſſembly, that if 'it ſhall be thought likely to conduce to the Security, Eaſe, and good Order of that 'Part of the Government, I ſhall be willing to grant the Prayer of the Petition; and as 'a Proviſion will be beſt made by a Law for the Eſtabliſhment of Courts of Judicature, 'I ſhall be alſo willing to join with you in One for that, or any other neceſſary Purpoſes.

April 25, 1745. *GEORGE THOMAS.*"

GENTLE-

GENTLEMEN,

1745. 2d *Mo.* 25. The Governor's Message

'SINCE your last Meeting, I received a Letter from the Governor of *Virginia*, enclosing the *Catawbaes* Answer to a Message he had sent them, pursuant to the Treaty 'at *Lancaster*, and desiring my Assistance for settling a Peace between them and the *In*-'*dians* of the *Six Nations*. I made no Difficulty of promising my best Offices, to prevent, 'if possible, a further Effusion of those unhappy People's Blood; and immediately en-'gaged *Conrad Weiser* to undertake another Journey to *Onontago*, so soon as the Spring 'should be far enough advanced to afford Grass for his Horses. As the Treachery of the '*Catawbaes* in a former Instance has rendered them justly suspected by the *Six Nations*, 'I despaired of persuading the latter to send Deputies to their Country, and therefore in-'structed *Conrad Weiser* to propose *Williamsburg*, or some other Town in *Virginia*, for 'the Place of holding the Treaty; but in case the *Six Nations* cannot be brought to agree 'to that, to consent to its being held at *Philadelphia*, upon Condition that they limit the 'Number of Deputies to Five on each Side. Notwithstanding Governor *Gooch* has pro-'mised to defray the Expence of this Negotiation, the Charge of an Express or two, or 'perhaps of a few Strowds, for a Present to the *Indians*, will probably fall upon this Pro-'vince, and I doubt not but you will chearfully provide for it.

'I have just received Information, that *Peter Chartier*, after disposing of his Effects in 'this Government, is gone over to the Enemy. His Conduct, for some Years past, has 'rendered him generally suspected; and it seems my reprimanding him for some very 'exceptionable Parts of it, is made use of, amongst other Things, to excuse his Infide-'lity. Had he been punished as he deserved for the villainous Report he spread two 'Years ago amongst the back Inhabitants, in order to spirit them up against such of the '*Six Nations* as should happen to travel through those Parts of the Country, he would 'not have been at this Time with the Enemy; but an Apprehension that the *Shawnese* '(whose perfidious Blood partly runs in *Chartier's* Veins) might resent upon our Traders 'any Severities to him, restrained me from making use of such, and induced me to chuse 'the gentle Method of Reproof, which his brutish Disposition has construed into an 'Affront.

'I am likewise informed, that he has persuaded a considerable Number of the *Shaw*-'*nese* to remove from their old Town, to a greater Distance upon another River, and it 'is not to be doubted but that a Person of his savage Temper will do us all the Mis-'chief he can. If you think it worth while, I will send a special Messenger to persuade 'those *Shawnese* to return to their former Place of Abode, or I will take any other Mea-'sures you shall advise; tho' it is my Opinion, the Advantages of the Trade excepted, 'the further these People remove from our Borders, the better it will be for us. I have 'wrote Letters from Time to Time to the *Shawnese* Chiefs, inviting them down to *Phi*-'*ladelphia*, and particularly a very kind one the last Fall, which *Peter Shaver* tells me he 'delivered; but that I have of late received no Answer, may be imputed to *Chartier's* 'Influence over them; and it is too probable, that he will make use of it to defeat any 'future Attempts we shall make to revive their Friendship with us.

April 25, 1745. *GEORGE THOMAS*."

Several Papers and Petitions referred to in the Governor's Messages, and delivered with them were also read, and the further Consideration thereof adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor's Message, relating to the *Indians*, was again read and considered, *Post Meridiem.*

Ordered, That *Thomas Leech*, *Abraham Chapman*, *Israel Pemberton*, *Samuel Levis* and *James Mitchel* be a Committee to prepare a Draught of an Answer to the said Message, and report the same to the House.

A Petition from *William Dewees*, jun. was presented to the House and read, setting forth, that by Order of a Magistrate he pursued and apprehended one *Lemuel Washburn*, supposed to be a Counterfeiter of Bills of Credit; that his Expences therein amounted to £3. 15*s.* 0*d.* which the Commissioners of the County refused to pay, alledging it ought to be a Provincial Charge; and praying that this House would order him Payment out of the Public Treasury. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

2d *Mo.* 26. The Gentlemen appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read, and ordered to be transcribed, that it may be sent up to the Governor.

The Gentlemen to whom the Flour Bill was committed, brought in a Bill, entituled, *A Supplementary Act to the Act for preventing the Exportation of Bread and Flour not merchantable*, which was read, and debated, and the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

1745. *2d Mo.* 26. *Poſt Meridiem.*

The Meſſage to the Governor being tranſcribed, was read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Meſſage to the Governor.

THE good Offices the Governor hath been pleaſed to undertake, at the Deſire of the Governor of *Virginia*, for ſettling a Peace between the *Indians* of the *Six Nations* and the *Catawbaes*, and for preventing, if poſſible, a farther Effuſion of thoſe unhappy People's Blood, is very agreeable to us; and will, we hope, be attended with the Succeſs deſired. And if, for the Accompliſhing ſo good Purpoſes, it become neceſſary that the Deputies of thoſe Nations ſhould meet at *Philadelphia*, and conſequently occaſion a Charge to this Province; and although it be reaſonable that the Government of *Virginia*, according to their Promiſe, do defray the Expences of that Negotiation; yet as we look upon it at all Times prudent, and more particularly ſo in the preſent critical Juncture of public Affairs, to cultivate a good Underſtanding with the *Indians*, and do not doubt of all the Frugality requiſite; whatever Charges ſhall neceſſarily ariſe for the Expreſſes and Preſents the Governor is pleaſed to mention, we ſhall chearfully provide to pay.

The Infidelity of *Peter Chartier*, in his going over to the Enemy, and his perſuading a conſiderable Number of the *Shawneſe* to remove from their old Town to a greater Diſtance on another River, gives us ſome Concern, as it looks like an Attempt to deſtroy the Friendſhip which hitherto ſubſiſted between thoſe *Indians* and this Government. It is very probable, from the ſame treacherous Principles, *Chartier* may be induced to do us all the Miſchief in his Power amongſt thoſe *Indians*, and if a ſpecial Meſſenger was ſent to them it may be attended with ſome Danger; and, conſidering *Chartier's* Influence, perhaps not be ſufficient to enduce them to return to the Place of their former Abode, were ſuch Return allowed to be of Advantage to this Province. We muſt, however, refer the conducting this Affair to the Governor's Prudence, upon ſuch further Advices as he may hereafter receive; returning him our hearty Thanks for the Care he hath hitherto taken in theſe Affairs, and making no Queſtion, but that, as Occaſion ſhall require, every prudent Meaſure will be taken to defeat *Chartier's* perfidious Deſigns, and preſerve, if poſſible, the *Shawneſe* ſteady in their Friendſhip with this Government."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *George Aſhbridge* and *Arthur Patterſon* wait upon the Governor, and deliver the ſame; and that they acquaint the Governor, that his other Meſſage is under the Conſideration of the Houſe; and that they propoſe to adjourn to the 19th of the next 6th Month, if he hath no Objection to that Time.

A Petition of ſundry Inhabitants of the City of *Philadelphia*, praying, for the Reaſons therein mentioned, that upon the Reſignation of the preſent Exciſe Officer for the County of *Philadelphia*, a Perſon may be appointed to put that Act in Execution whoſe other Buſineſs will not interfere with his Duty to the Public; was preſented to the Houſe and read. *Ordered to lie on the Table.*

The Petition of *William Dewees* was again read and conſidered,

Ordered, That an Order be drawn on the Treaſurer for the Payment of *Three Pounds Fifteen Shillings* to the ſaid *Dewees*, in full Diſcharge of his Account. *Which was done accordingly.*

Ordered, That 17 £. paid to *Francis Sherrard* by the Sheriff of *Lancaſter*, on Account of the Loan Office, and loſt by his Death, be allowed by the Truſtees.

The Petition from ſundry Inhabitants of *Bucks* County, relating to the Votes of the Houſe, was again read, and referred to farther Conſideration.

The Petition for a new County, was again read, and referred to farther Conſideration.

The Gentlemen appointed to wait on the Governor, with the Meſſage of the Houſe, report, that they delivered the ſame according to Order, and that the Governor had made no Objection to the propoſed Time of Adjournment.

Adjournment. Then the Houſe adjourned to the 19th Day of the next 6th Month.

4th Mo. 3. *Poſt Meridiem.*

THE Governor having by his Writs directed the Sheriffs to ſummon the Repreſentatives of their reſpective Counties to meet him this Day in Aſſembly, they were ſummoned, and the Houſe is met accordingly.

Ordered, That *Thomas Leech* and *Oſwald Peele* wait upon the Governor and acquaint him, that the Houſe is met purſuant to his Summons, and ready to receive any Matter he may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he ſhould ſend a Meſſage to the Houſe To-morrow Morning, together with ſome Letters he had received from Governor *Shirley* and Commodore *Warren*, and deſired the Members would be together pretty early.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The

The Governor by his Secretary sent down a written Message to the House, together with two Letters he had received from Governor *Shirley* and Commodore *Warren*, which were read, and the Message follows in these Words, *viz.* 1745. 4th Mo. 4.

GENTLEMEN,

'THE Secretary is ordered to lay before you two Letters I received on the 25th of the last Month from Governor *Shirley* and Commodore *Warren*, by an Express from *Boston*. The Importance of these Dispatches laid me under an indispensable Obligation to call you together again before the Time to which you stood adjourned; and now you are met, I cannot doubt but your Resolutions will be such as may be for the Advancement of his Majesty's Service, and the common Interests of the Northern Colonies. The Expedition against *Louisburg*, you will observe, is carried on with his Majesty's Approbation, is supported by seven of his Ships of War, and has been hitherto attended with such Success, as renders it highly probable that the King's Forces will become Masters of the Place, if they shall be reinforced in time by the rest of the Colonies. The Governor's Message.

'As the Measures to be taken by the Government of *New-England* will in some Degree depend upon your Resolutions, I hope you will enable me to transmit them by the next Post.

June 4, 1745. *GEORGE THOMAS.*"

Ordered, That the Message be again read and considered in the Afternoon.

The House being informed, that the Collector of the Excise for the County of *Philadelphia* attended, he was called in, and thanking the House for their Favour in appointing him to that Office, he acquainted the House, that it did not suit his Affairs to continue in it, and therefore requested that the House would be pleased to appoint another; and then withdrew.

A Petition from *Thomas Peters*, of the City of *Philadelphia*, was presented to the House and read, praying, that he may be appointed the Officer to execute the Excise Act for the said City and County. *Ordered to lie on the Table.*

A Petition from *Judah Foulke*, of the City of *Philadelphia*, was presented to the House and read, praying, that he may be appointed Collector of the Excise for the said City and County. *Ordered to lie on the Table.*

A Petition of *Mordecai Lloyd*, of the City of *Philadelphia*, was presented to the House and read, praying, that he may be appointed Collector of the Excise for the said City and County. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

The Governor's Message, and the Papers referred to therein, were again read and considered:

And after some Time spent therein, the farther Consideration thereof was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Governor's Message, and the Letters that accompanied it; and after some Time spent therein, the farther Consideration thereof was adjourned to the Afternoon. 4th Mo. 5.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

A Petition from *Richard Sewell*, of the City of *Philadelphia*, was presented to the House and read, praying, that the House would appoint him to be the Officer for collecting the Excise in the City and County of *Philadelphia*. *Ordered to lie on the Table.*

The House resumed the Consideration of the Governor's Message; and after some Debate it was moved, that the Question be put, That the House will at this Time give a Sum of Money to the King's Use;—And the previous Question being demanded and put, Whether that Question be now put? *It passed in the Negative.*

Ordered, That *Israel Pemberton*, *Robert Jones*, *John Watson*, *Joseph Harvey* and *John Wright* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report the same to the House.

The Petitions of *Thomas Peters*, *Judah Foulke*, *Mordecai Lloyd*, and *Richard Sewell*, for the Excise Office, were again read; and the Question being put, that *Thomas Peters* be the Officer for collecting the Excise for the City and County of *Philadelphia*. *It passed in the Negative.*

Resolved, That *Judah Foulke* be the Excise Officer for the said City and County.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and considered; and after some Debate, it was ordered to be transcribed to be sent up to the Governor. 4th Mo. 6.

Thomas Lloyd, one of the Signers of the Paper Money, attending without, was called in, and acquainted the House, that his Business calling him abroad, he could no longer attend

1745. attend that Service; and having thanked the Houſe for their Favour in appointing him to it, he withdrew.

4th. Mo. 6. *Reſolved*, That *Joſeph Harvey* be appointed Signer of the Paper Money in the room of *Thomas Lloyd*.

The Meſſage to the Governor being tranſcribed, was read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Meſſage to the Governor. WE have maturely conſidered the Governor's Meſſage of the 4th Inſtant, together with the Contents of the Letters which the Secretary was ordered to lay before us. And our Reſult is, that as the Enterprize againſt *Cape Breton*, is a private Undertaking of the Government of *New-England*, in which they did not think fit to conſult the neighbouring Colonies, and wherein, if the Deſign ſucceeds, they themſelves will receive the principal Benefit, and therefore they have no Right to involve us in the Expence.

That the Expedition is ſince carried on "with His Majeſty's Approbation" we do not doubt; but how far it was intended this Government ſhould be burdened with the Expence ariſing from it, will beſt appear when the Letter from the Duke of *Newcaſtle* to the Governor, mentioned by Commodore *Warren*, ſhall be received, until then, we hope, we ſhall be excuſed from coming to any further Reſolutions in an Affair, which, for other Reaſons than we have mentioned, the Governor muſt be ſenſible affords us much Difficulty."

And the ſame being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Trotter* and *James Morris* wait upon the Governor with the Meſſage, and acquaint him, that the Houſe is inclined to adjourn to the Time of their former Adjournment.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay he had no Objection to the Time propoſed.

Adjournment Then the Houſe adjourned to the 19th of the next 6th Month.

5th. Mo. 22. *Poſt Meridiem.* THE Repreſentatives having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, again ſummoned to meet him in Aſſembly, the Houſe met this Day accordingly.

Ordered, That *Iſaac Norris* and *Thomas Leech* wait upon the Governor and acquaint him, that in Purſuance of his Summons a Quorum of the Houſe is met, and ready to receive any Thing he may have to lay before them; and deſire a Copy of the Writs by Virtue of which the Houſe was ſummoned.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

5th Mo. 23. The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he ſhould ſend a Meſſage to the Houſe this Morning, together with the Writs.

The Governor by his Secretary ſent down a Meſſage in Writing to the Houſe, together with Letters he had lately received from Governor *Shirley* and Commodore *Warren*, and a Copy of his Majeſty's Inſtructions to the ſeveral Governors of the Colonies in *North America* to aſſiſt Commodore *Warren*, referred to in the ſaid Meſſage, which were read, and the Meſſage and Inſtructions follow in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage ‘MY Duty to his Majeſty, my Regard for the Intereſts of the Colonies, and my Concern for the Reputation of *Pennſylvania*, have all conſpired to my calling you together at this Time; and I do aſſure myſelf, that you will joyfully embrace the Opportunity of giving a public and ſubſtantial Proof of the like Zeal for the King's Service, and the common Good of your Fellow-Subjects. As it has pleaſed the Almighty to grant a Bleſſing on his Majeſty's Arms, and, after an uncommon Courſe of Events, to crown the glorious Enterpriſe of the Government of *New-England* with Succeſs, I conclude, that Arguments to induce you to do your Parts, for preſerving a Conqueſt of ſuch Importance, are altogether unneceſſary; and that on this preſſing Occaſion, your Reſolutions will be ſo ſpeedy, as well as effectual, that I may be enabled to give a ſatisfactory Anſwer, by the next Poſt, to the Letter which I had the Pleaſure to receive by Expreſs from Governor *Shirley*, and which I have now ordered to be laid before you, together with one, ſince come to hand, from Commodore *Warren*, encloſing a Copy of the Signification of his Majeſty's Pleaſure, by his Grace the Duke of *Newcaſtle*, to the ſeveral Governors of the *Britiſh* Colonies in *North America*.

July 23, 1745. *GEORGE THOMAS.*"

A Copy

A Copy of his Majesty's Order signified by the Duke of Newcastle *to the respective Governors of the Colonies in* North America. 1745. 5th Mo. 23.

SIR, *Whitehall, January* 3, 1744-5.

HIS Majesty having thought it necessary, for the Security of the Colonies in *North America*, and particularly of the Province of *Nova Scotia*, (which has been already invaded by the *French*, and upon which there is great Reason to apprehend, that they will early in the Spring renew their Attempts by the Attack of *Annapolis Royal*) to employ such a Strength of Ships of War in those Seas, under the Command of Commodore *Warren*, as may be sufficient to protect the said Province, and the other neighbouring Colonies in *North America*, and the Trade and Fishery of his Majesty's Subjects in those Parts, and may also, as Occasion may offer, attack and distress the Enemy in their Settlements, and annoy their Fishery and Commerce; I have his Majesty's Commands to signify to you his Pleasure, that if Mr. *Warren* shall apply to you for Assistance, either of Men, Provisions or Shipping, to enable him to proceed either to the Relief and Succour of *Annapolis Royal*, or of any other of His Majesty's Forts and Settlements, or for making any Attempts upon the Enemy, you should in all such Cases be aiding and assisting to him, in the most effectual Manner, and according, as, upon Consultation together, shall be judged proper for carrying on his Majesty's Service; and you will be ready to concert and advise with Mr. *Warren* upon all Occasions that may arise, which shall have Relation to the Services on which he is employed; and particularly you will procure and communicate to him, the best Intelligence you shall be able to obtain, of the State and Condition of the Enemy's Settlements, and of the Ships in their Harbours; that he may be enabled to judge, whether it may be practicable and adviseable to make an Attempt upon any of their Ports.

HOLLIS NEWCASTLE."

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor's Message, with the Papers that accompanied it, was again read, and after some Debate, the farther Consideration thereof was adjourned to To-morrow Morning. *Post Meridiem.*

A Petition from *James Dinnen* and *Peter Tostee*, two *Indian* Traders, was presented to the House and read, setting forth, that as they were on the 18th Day of *April* last returning up the River *Allegheny*, with a considerable Quantity of Furs and Skins, in Canoes, *Peter Chartier*, late an *Indian* Trader, with about 400 *Shawnese Indians*, armed with Guns, Pistols and Cutlasses, suddenly took them Prisoners, having, as he said, a Captain's Commission from the King of *France*; and plundered them of all their Effects, to the Value of *Sixteen Hundred Pounds*, by which they are become entirely ruined, and utterly uncapable to pay their Debts, or carry on any further Trade; and praying that the House would be pleased to take their unhappy Circumstances into Consideration, and afford them such Relief as shall be judged meet. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, sent down to the House a Letter he had received from *Conrad Weiser*, relating to his Negotiations at *Onondago*, with the Council of the *Six Nations*. Also a verbal Message, that some *Indians* now in Town, had made a Present to the Government of Skins to the Value of about 20*l.* and that it was the Opinion of the Governor and Council, that a Present of Goods should be made them of treble the Value. 5th Mo. 24.

Part of *Conrad Weiser's* Letter, relating to the Affair of *Peter Chartier*, follows in these Words, *viz.*

—'As to *Peter Chartier's* robbing the *English* Traders, I laid the whole Affair before 'the Council in the best Manner I could; and added, "That since our Brethren, the "*Six Nations*, had so lately assured us, that they would not suffer the Parties at War "with one another, to commit Hostilities on their Ground; many of the *English* Traders "being present in *Lancaster* last Year at that great Treaty, were thereby encouraged to go "again to *Ohio*, fearing nothing; and as what that Traitor *Chartier* did was an open Breach "of the Treaties of Friendship; I desired the Council to weigh the Matter well, and give "an Answer, after they had well agreed among themselves; be it now, or some Time "hence." To enforce this upon them, I gave them a large Belt of Wampum.

'Their Answer was to this Purpose, *Brother* Onas, *we are sorry to hear what did* 'happen to your Traders at Ohio, *by the treacherous* Peter Chartier; *we go now to* Canada, 'and *shall take this Belt of Wampum with us; we look upon it as an open Breach of the Peace* 'on the French *Side, and the Blow that is given, we receive as if it were given us; depend* 'upon it, *that we will insist upon it, that the* French *shall make Restitution of Men and* 'Goods; *we are very glad that this News reached us before we set out for* Canada. *After our* 'Return, *you will have an Answer in full to this, and no doubt a satisfactory one.*"

The House resumed the Consideration of the Governor's Message, with the Papers that accompanied it, and after some Debate, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

1745. *5th Mo. 24. Poſt Meridiem.* Then the Houſe reſuming the Conſideration of the King's Commands ſignified by the Duke of *Newcaſtle's* Letters to the Governors of the Northern Colonies; and alſo the other Diſpatches, Letters and Papers, laid before it by Order of the Governor,

Reſolved, That the Sum of *Four Thouſand Pounds* be, and hereby is given to the King's Uſe; to be paid into the Hands of *John Pole* and *John Mifflin*, of the City of *Philadelphia*, Merchants; one Half Part thereof by the Truſtees of the General Loan Office; the other Half by the Treaſurer; to be laid out by them, the ſaid *John Pole* and *John Mifflin*, in the Purchaſe of Bread, Beef, Pork, Flour, Wheat or other Grain, or any of them, within this Province; and to be ſhipped from hence for the King's Service, as the Governor ſhall think moſt fit.

And the following Meſſage to the Governor being agreed to by the Houſe, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Meſſage to the Governor. WE think it our indiſpenſable Duty on every Occaſion to ſhew our Loyalty and hearty Affection towards our King and the preſent Government, under whom we not only enjoy our Civil and Religious Liberties in their full Extent, but often meet with peculiar Lenity and Indulgence.

With theſe Sentiments we have taken into Conſideration the King's Commands ſignified by the Duke of *Newcaſtle's* circular Letters to the Governors of the Northern Colonies, and alſo the other Diſpatches, Letters and Papers, which the Governor was pleaſed to direct ſhould be laid before us; and although the peaceable Principles profeſſed by divers Members of the preſent Aſſembly, do not permit them to join in raiſing of Men or providing Arms and Ammunition, yet we have ever held it our Duty to render Tribute to *Cæſar*, and have therefore, on the preſent Occaſion, come to the Reſolution herewith ſent, which we hope will give "Public and ſubſtantial Proof of "our Zeal for the King's Service and the common Good of our Fellow Subjects," as well as evidence our ready Obedience to his Royal Commands, ſo far as we can conſiſtently with our Religious Principles.

Ordered, That *Mark Watſon* and *James Mitchel* wait upon the Governor with the ſame, and acquaint him that the Houſe is diſpoſed to adjourn to the Time of their former Adjournment.

The Houſe, on conſidering the Governor's Meſſage of this Morning, relating to the *Indians*,

Reſolved, That a Sum not exceeding *Fifty Pounds*, including the Value of the Skins, be allowed as a Preſent to the *Indians*, and paid by the Treaſurer.

Two Orders for £2000 each, on the Treaſurer and Truſtees of the Loan Office, being drawn in Purſuance of the Reſolve of the Houſe, were ſigned by the Speaker.

The Petition of *James Dinnen* and *Peter Toſtee* was again read, and referred to farther Conſideration at the next Meeting of the Houſe.

The Gentlemen appointed to wait on the Governor with the Meſſage of the Houſe, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that ſince the Houſe had particularized what they would have the Money laid out in, he looked upon their putting the Shipping of it under his Direction to be no Compliment to him.

The Speaker informed the Houſe, that, by Order of the Governor and Council, a Preſent had been ſent to thoſe of the *Shawneſe* Nation, who have continued in their Fidelity to the *Engliſh*; and the ſame was approved of by the Houſe, and agreed that it ſhould be allowed in the Treaſurer's Account.

Adjournment Then the Houſe adjourned to the 19th Day of the next Month.

6th Mo. 19. *Poſt Meridiem.* THE Houſe met purſuant to their Adjournment.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor and acquaint him, that the Houſe is met in Purſuance of their Adjournment; and are ready to receive any Thing he may have to lay before them.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 20. The Gentlemen appointed Yeſternight to wait upon the Governor with the Meſſage of the Houſe, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay he had nothing at preſent to lay before the Houſe; but that if any Thing proper for their Conſideration occurred to him during their Sitting, he would communicate it to them.

A Petition from *Daniel Morris*, of *Philadelphia* County, was preſented to the Houſe and read, ſetting forth, that he is informed that a Change of the Officer for viewing and branding Flour for the ſaid County is intended; and praying, that if ſuch Change is made, he may be appointed the Officer for that Purpoſe. *Ordered to lie on the Table.*

A Petition from *Owen Jones*, of the City of *Philadelphia*, praying to be appointed the Officer for executing the Flour Act, was preſented to the Houſe and read, and ordered to lie on the Table.

A Peti-

A Petition of *James Alcorn*, late Constable of the Town of *Paxton*, in *Lancaster* County, praying Allowance and Payment of an Account formerly exhibited to this Assembly, for his Expence and Trouble in conveying the *Indian Mushamelon* above 50 Miles to *Lancaster* Goal, was presented to the House and read. *Ordered to lie on the Table.* 1745. *6th Mo.* 20.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

Ordered, That *Israel Pemberton*, *Edward Warner*, *John Hall*, *Samuel Levis* and *James Mitchel* be a Committee to settle the Accounts of the Incidental Charges for the current Year.

The Petition and Account of *James Alcorn* was again read, and the Account was referred to the Committee of Incidental Charges.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

An Account from *Conrad Weiser*, of Expences in *Indian* Affairs, was laid before the House, and referred to the Committee of Incidental Charges. *6th Mo.* 21.

The Committee appointed to audit and settle the Accounts of the General Loan Office, and other public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Inspection of the Members.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House met, and adjourned to Three o'Clock To-morrow Afternoon. *Post Meridiem.*

The House met pursuant to their Adjournment. *6th Mo.* 22.

The Trustees of the Province Island, laid their Accounts before the Assembly, by which it appears that there is a Balance in their Hands of *Sixty-eight Pounds*, *Eight Shillings* and *Nine-pence Half-penny*.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House met, and considered the several Accounts and Allowances to be paid and made for the current Year, and then adjourned to Three o'Clock in the Afternoon. *6th Mo.* 23. Adjournment *Post Meridiem.*

A Motion being made, that the Country Members be allowed Mileage for the several Times they have attended the House this Year at the Call of the Governor; the Question was put, and passed in the Negative.

Resolved, That the Sum of *Five Hundred Pounds* be now given to the Honourable GEORGE THOMAS, Esq; Governor of this Province, in full of his Support for the current Year. And an Order being drawn on the Treasurer for Payment of the same, it was signed by the Speaker, by Order of the House.

Ordered, That *Edward Warner* and *Samuel Levis* wait upon the Governor with the same, and acquaint him that the House is disposed to adjourn this Day, if he hath no Objection thereto.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor made no Objection to the Adjournment of the House, but was pleased to say, he had expected they would at this Time have made some Provision for the Payment of his Arrearages.

The Report of the Committee on the Public Accounts being approved of by the House, follows in these Words, *viz.*

WE *the* COMMITTEE *appointed by Order of Assembly to settle the Accounts of the* GENERAL LOAN OFFICE *of the Province of* Pennsylvania, REPORT,

THAT, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan Office undischarged, we find there are principal Sums or Quotas thereon, to become due and payable to the Trustees, the Sum of - - £ 45343 3 4

That a List of 149 Mortgages have been taken, Part on the fifth, and Part on the sixth, Re-emission of the £ 80000 Act, amounting, as per List, to —— —— £ 10,302 10 0

That there are Quotas outstanding, and now due on all the said Mortgage Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of —— —— —— £ 15554 15 5

That several Sums lent the Public, to be repaid into the Hands of the Trustees, are still outstanding, viz.

The whole Sum appropriated by the second £ 30,000 Act, for building the State-House, —— ——	£ 2000	0	0
Part of the Sum lent the City of Philadelphia for building an Alms-House, —— ——	312	10	0
Part of the Sum lent the Mayor and Commonalty of the City of Philadelphia by the first £ 30000 Act, —— ——	156	0	0
Part of the Sum put into the Hands of the Provincial Treasurer,	200	0	0
	£ 2668	10	0
	£ 73,868	18	9
Balance in the Hands of the Trustees, —— ——	6,131	1	3
Makes the whole Sum current in the Province, ——	£ 80000	0	0

Report of the Committee appointed to settle the Accounts of the General Loan Office.

That

1745. 6th Mo. 23.

That the Truſtees, upon Account of Intereſt, charge the Province with Intereſt outſtanding on all the Mortgage Deeds now remaining in the Office, amounting as per Liſt delivered by the Truſtees, to — £ 6286 0 11¾
And for ſundry Orders for Aſſembly-Men's Wages, — 374 15 0
Paid the Governor, by Order of Aſſembly, — 1000 0 0
Paid Lynford Lardner for the Proprietor, in Purſuance of an Act of Aſſembly — 130 0 0
Paid for Wood and Sawing, — 4 17 6
Paid Rees Meredith for One Hundred Pound Bill of Exchange ſent to Richard Patridge, — 172 10 0
Paid Thomas Leech towards finiſhing the State-Houſe, — 650 0 0
Paid Benjamin Franklin for Paper and Printing the laſt Bills of Credit, — 185 8 4
Paid Abraham Chapman for Signing Bills of Credit, — 36 0 0
Paid James Morris for Signing Ditto, — 50 0 0
Paid Henry Lewis for a Servant, by Order, — 10 13 9
Paid the Truſtees Salary for the current Year, — 550 0 0
For an Allowance by Law for 131 Mortgage Deeds, as by Charles Brockden's Liſt, — 131 0 0
For an Allowance due by Law for Exchanging and Sinking £ 3000, burnt this Year, — 8 5 0
Paid William Branſon for Iron Backs, — 6 3 1
Paid John Pole and John Mifflin, by Order of Aſſembly, — £ 2000 0 0
Paid Ditto in Part of an Order drawn upon the Treaſurer, to be repaid out of the Treaſury, — 1500 0 0
— £ 3500 0 0
Paid the Honourable GEORGE THOMAS, Eſq; in Part of an Order of Aſſembly, to be repaid by the Treaſurer, — 500 0 0
— £ 13,595 13 7¼

That the Truſtees upon the Account of Intereſt, credit the Province with the Balance of laſt Year's Account ſettled with the Committee, Aug. 8, 1744, £ 1439 16 11¾
By Intereſt outſtanding at the laſt Settlement, — 6018 16 0¼
By Intereſt ariſing on all the Mortgage Deeds this current Year, 2755 2 9
By broken Intereſt received this Year, — 981 3 0
— £ 11,194 18 9
Balance due to the Truſtees, — 2,400 14 10¼
— £ 13,595 13 7¼

WE *the* COMMITTEE *appointed by Order of Aſſembly to audit and ſettle the Public Accounts*, REPORT,

The Report of the Committee appointed to ſettle the Public Accounts.

THAT we have examined the Provincial Treaſurer's Account, and find that he Credits the Province by the Balance of laſt Year's Account ſettled with the Committee, Auguſt 8, 1744, — £ 853 12 5¼
By Caſh received of Rees Meredith, late Collector of Exciſe for the County and City of Philadelphia, — 1695 10 0
By Ditto received of William Atkinſon, Collector of Exciſe for the County of Bucks, — 152 0 9
By Ditto received of Jeremiah Star, Collector of Exciſe for the County of Cheſter, — 147 15 6
By Ditto received of Arthur Patterſon, Collector of the Exciſe for the County of Lancaſter, — 74 3 6
By Ditto received of Judah Foulke, the preſent Collector of Exciſe for the County and City of Philadelphia, — 26 0 0
By Ditto received of James Mitchell, late Collector of Exciſe for the County of Lancaſter, — 40 2 0
By Ditto received for Skins preſented by the Indians, 6th Month, 1744, £ 6 4 8
By Ditto received for Skins preſented by the Indians, 9th Month, 1744, 9 19 6
By Ditto received for Skins preſented by the Indians, 6th Month, 1745, 18 4 11
— £ 34 9 1
— £ 3023 13 3½

That he Charges the Province with the following Articles, viz.
Paid John Wright, by Order of Aſſembly, — £ 0 5 0
Paid Thomas Græme, Eſq; one of the Supreme Judges, by Order of Aſſembly, — 50 0 0
Paid Ditto his Account by Order, — 6 5 0
Paid Samuel Kirk, his Salary as Sergeant, £ 8, and for extraordinary Services, &c. £ 2 15 1½ — 10 15 1½
Paid Charles Stowe, per Order, — 2 10 0
Paid Conrad Weiſer, per Order, — 45 3 6
Paid Joſeph Wharton, per Order, — 10 0 0
Paid Benjamin Franklin, per Order, £ 62 1 2, and for Poſtage of public Packets, £ 11 10 0 — 73 11 2
Paid Samuel Blunſton, per Order, — 0 10 0
Paid Abraham Chapman, per Order, — 5 10 0
Paid Iſaac Norris, per Order, for a Hundred Pound Sterling Bill of Exchange remitted to the Agent for his Salary, — 170 0 0
Paid Ditto, per Order, — 3 0 0
Paid Thomas Leech, per Order, — 6 5 0
Paid James Morris, per Order, — 6 5 0
Paid the Honourable GEORGE THOMAS, Eſq; in Part of an Order of Aſſembly for £ 1000, the other £ 500 being paid by John Kinſey, one of the Truſtees of the Loan Office, — £ 500 0 0
Paid Ditto, per Order of Aſſembly, — 500 0 0
— £ 1000 0 0
Paid Edward Warner, per Order, — 5 0 0
Paid Joſeph Harvey, per Order, — 3 0 0
Paid Abraham Shelley, for Maintenance of Priſoners — 12 4 0
Paid William Till, Eſq; one of the Supreme Judges, two Orders of Aſſembly, £ 25, and £ 50, — £ 75 0 0
Paid John Kinſey, Eſq; Chief Judge of the Supreme Court his Salary, — £ 150 0 0
And by Order of Aſſembly for his Service in drawing of Bills, — 30 0 0
— £ 180 0 0
— £ 255 0 0
Paid William Dewees, per Order, — 3 15 0
Carried over £ 1668 18 9½

Paid

1745
6th Mo. 23.

Brought forward,			1668 18 9½
Paid Thomas Burden, per Order,			13 3 6
Paid John Muſſer, per Order,			3 0 0
Paid Edward Drury, Expreſs to Virginia,			10 0 0
Paid Richard Peters, Secretary, his Salary,	15 0 0		
And for his Service at the Indian Treaty, at Lancaſter,	10 0 0		
And for a Copy of the Treaty,	3 0 0		
		£	28 0 0
Paid ſundry Expences for the Indians, viz.			
Paid for Sundries preſented to the Delaware Indians,	£ 30 17 10		
Paid Conrad Weiſer, and Indian Expences,	22 14 2½		
Paid Thomas Burden, for Maintaining Indians when in Town,	1 18 10		
Paid William Biſſel, Work done for the Indians,	0 6 0		
Paid Richard Peters, per Order, for Expences at the Indian Treaty at Lancaſter,	152 14 1		
Paid Edward Shippen, for a Preſent to the Shawany Indians,	20 1 1		
Paid for ſundry Goods preſented to the Delaware Indians,	50 0 0		
Paid for their Expences in Town,	13 1 0		
		£	291 13 0½
Paid John Pole and John Mifflin, in Part of an Order of Aſſembly for £ 2000,			496 15 0
			2511 10 4
Commiſſions on £ 2511 10 4, at 5 per Cent.,			125 11 6½
		£	2637 1 10½
Balance in the Treaſurer's Hands due to the Province,			386 11 5
		£	3023 13 3½

That we have examined the Account of Rees Meredith, late Collector of Exciſe for the City and County of Philadelphia, and find that he Credits the Province by Amount of Exciſe from the firſt of June 1744, to the firſt of June 1745. £ 1870 3 10
And by ſundry Sums received in Part of a Liſt of outſtanding Debts returned by the former Collector, 20 6 6
£ 1890 10 4

That he Charges the Province with ſundry Payments of Caſh to the Provincial Treaſurer, £ 1695 10 0
To Commiſſions on £ 1870 3 10, at 5 per Cent, 93 10 2
To outſtanding Debts, 101 10 2
£ 1890 10 4

That we have examined the Account of William Atkinſon, Collector of Exciſe for the County of Bucks, and find that he Credits the Province,
By the Balance of Account ſettled with the Committee laſt Year, 115 1 8
By Amount of Exciſe from the 1ſt of June, 1744, to the 1ſt of June, 1745, 151 6 8
£ 266 8 4

That he Charges the Province with the following Articles, viz.
To Caſh paid the Provincial Treaſurer ſince the laſt Settlement, 152 0 9
To an Allowance for Advertiſements, &c. 1 5 0
To Commiſſions on £ 152 0 9, at 10 per Cent, 15 4 0
168 9 9
Balance due to the Province, 97 18 7
£ 266 8 4

That we have examined the Account of Jeremiah Star, Collector of Exciſe for the County of Cheſter, and find that he Credits the Province,
By Amount of Entries from June 1ſt, 1744, to Auguſt 17th, 1745, 493 9 8
By a Fine received from Robert Edgar, 2 10 0
£ 495 19 8

That he Charges the Province,
To Caſh paid the Provincial Treaſurer, £ 147 15 6
To Commiſſions on £ 147 15 6, at 10 per Cent, 14 15 6½
162 11 0½
Balance due to the Province, 333 8 7½
£ 495 19 8

That the Collector of Lancaſter being ſick, did not appear, nor exhibit any Account, but we find that he has paid into the Hands of the Treaſurer, the Sum of 74 3 6

That we have examined the Account of James Mitchel, late Collector of the County of Lancaſter, and find that he Credits the Province,
By Balance of Account ſettled with the Committee laſt Year, £ 48 18 2
That he Charges the Province,
To a Loſs on Peter Allen's Exciſe, 4 15 9½
To Caſh paid the Provincial Treaſurer, in full Diſcharge of his Account, 40 2 0
To Commiſſions on £ 40 2 0, at 10 per Cent, 4 0 4½
£ 48 18 2

That the preſent Collector for the City and County of Philadelphia, having been but lately in Office, did not produce any Account; but the Provincial Treaſurer gives Credit for £ 26 0 0, received from him, £ 26 0 0

We do further Report, that we have ſunk and deſtroyed of the old Bills of Credit of the ſeveral Emiſſions, purſuant to the Directions of the £ 80,000 Act, the Sum of £ 2,904 14 6
And ſunk by former Committees 61,106 16 0
64,011 10 6
There remains to be ſunk, to complete all the Bills of the ſeveral Emiſſions before the Eighty Thouſand Pound Act, 4,878 4 6
£ 68,889 15 0

We have alſo ſunk and deſtroyed of the Bills emitted by Virtue of the £ 80,000 Act, in Purſuance of an Act of Aſſembly, the Sum of £ 95 5 9

That the Accounts of Charles Read, former Collector of the Exciſe for the City and County of Philadelphia, and of the Duty upon Negroes, remain as in the Report of 1734.

Submitted to the Correction of the Houſe, Aug. 20, 1745, *by*

ISAAC NORRIS, EDWARD WARNER, ABRAHAM CHAPMAN."
JAMES MORRIS, JOSEPH HARVEY,

1745. 6th Mo. 23. The Houſe reſuming the Conſideration of the Petition of a Number of the Inhabitants of *Bucks* County, relating to the Dam over *Neſhamineh Creek*, after ſome Debate thereon, referred the further Conſideration thereof to the ſucceeding Aſſembly.

Then the ſeveral Orders on the Treaſurer and Truſtees for the Allowances made for public Services for the current Year, being ſigned by the Speaker, by Order of the Houſe,

Adjournment. The Houſe adjourned to the Thirtieth of *September* next.

Sept. 4. *Poſt Meridiem.* THE Repreſentatives having been again ſummoned to meet the Governor in Aſſembly, the Houſe met accordingly.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor and acquaint him, that a Quorum of the Houſe is met, purſuant to his Summons, and ready to receive any Thing he may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe To-morrow Morning, together with ſundry Papers for their Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Sept. 5. The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, with ſundry Papers referred to therein, which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. ‘THE Occaſion of my calling you together ſo ſoon after your Adjournment, is ‘a Letter I received laſt Week by Expreſs from Governor CLINTON, informing ‘me of ſome late Tranſactions between the *French* Governor of *Canada* and the United ‘Nations of *Indians*, in their Treaty at *Montreal*, and inviting this Government to ſend ‘Commiſſioners to *Albany*, (where he propoſes to meet the *Indians* on the 4th of the ‘next Month) furniſhed with proper Means for retaining them in their Fidelity to his ‘Majeſty, and their Engagements with the reſpective *Britiſh* Colonies.

‘When I reflect on the long approved Faith of theſe People, their grateful Acknow‘ledgements for the Protection from Time to Time received from the *Engliſh* againſt the ‘Attempts made by the Enemy to enſlave them, and on the ſolemn Aſſurances given to ‘me at the late Treaty of *Lancaſter*, to obſerve a ſtrict Neutrality in the preſent War, ‘and to maintain inviolably their Friendſhip with the *Britiſh* Colonies, I am not eaſy ‘to entertain Suſpicions to their Prejudice; but, upon recollecting what paſſed in a pri‘vate Converſation between one of the moſt politick of their Sachems and our Interpreter, ‘when he was laſt at *Onontago*, I am not without Apprehenſions, that the Succeſs of his ‘Majeſty's Arms at *Cape Breton* may induce them to throw themſelves into the *French* ‘Scale, in order to preſerve the Balance.—For that *Indian* Sage ſaid, “That however “meanly they may be thought of, they were not unacquainted with their own true In“tereſts; and therefore would not join with either Nation in the War, unleſs compelled “to it for their own Preſervation: That hitherto, from their Situation and Alliances, “they had been courted by both; but ſhould either prevail ſo far as to drive the other “out of the Country, they ſhould be no longer conſidered, Preſents would be no longer “made to them, and in the End they ſhould be obliged to ſubmit to ſuch Laws, as the “Conquerors ſhould think fit to impoſe on them.” The *French* Governor has artfully ‘ſuggeſted the ſame Things, and their Acceptance of a Belt of Wampum from him, ‘with the Figure of a Hatchet wrought in it, though it be but to deliberate upon it, is ‘a Mark of ſome Degree of Approbation, and by no Means a good Omen to us. There ‘is but one probable Method of ſecuring them in our Intereſt, and that is, to perſuade ‘them, by outbidding the Enemy, to an open Declaration for us: Money, notwithſtanding their Reaſoning, having always been the prevailing Argument with them. Should ‘the preſent Opportunity be loſt, it is much to be feared, that the Intrigues of the *French* ‘in the enſuing Winter will ſeduce and entirely alienate them from us. But ſuppoſing ‘the beſt of them, that their Inclinations are with us, and that they are ſtill reſolved to ‘obſerve a Neutrality, if their Allies break it, and take up the Hatchet againſt us, they ‘muſt either join them, or fly to us for Protection; which can be no way ſo effectually ‘ſecured to them, as by an Union of all the *Britiſh* Northern Colonies for that Purpoſe.— ‘This is a Matter which very nearly concerns the Quiet and Safety of the People of ‘*Pennſylvania*; and as ſuch I recommend it to your moſt ſerious Conſideration, and have ‘ordered the Letter referred to, with ſome other Papers, to be laid before you for your ‘more particular Information.

‘The Secretary will likewiſe deliver to you another Letter, received ſince the Writs ‘were iſſued, from the Government of the *Maſſachuſetts*, renewing their Application for ‘an Aid of Men, Arms and Ammunition, as abſolutely neceſſary for the Defence of ‘*Louiſburg*, againſt the Attempts, which they apprehend will be made by the Enemy,

‘to

'to recover it. The Mortification must be very great to every Lover of his Country, 'should so noble an Acquisition be wrested out of our Hands, for Want of a small Share 'of that Spirit in the other Colonies to preserve it, which inspired the People of *New-* '*England* to undertake and compleat the Conquest of it. 1745. Sept. 5.

September 5, 1745. GEORGE THOMAS."

The Message was read a second time, and referred to further Consideration in the Afternoon; and then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

The Governor, by his Secretary, sent down a verbal Message to the House, recommending to them, that they would resume the Consideration of the Allowances made at their last Sitting, for the Maintenance of Prisoners brought into this Port by the Privateers, the same being lower than the Agreement he had (from the Encouragement given him by the House) made with the People that entertained them, and less than is allowed in a neighbouring Province; and desiring that the Assembly would for the future manage those Affairs by a Committee of their own.

The Governor's Message of the Morning, with the Papers accompanying it, was again read and considered; and the House being willing, before they came to any Result thereon, to know the Governor's Sentiments, whether he would be pleased to attend the Treaty at *Albany*, if the House make the necessary Provision for that Purpose; or, if the Governor shall decline going himself, then to whose Care he proposes to commit the Negotiation; the Speaker was desired to wait on the Governor after the Adjournment this Evening, and learn his Mind therein. And the further Consideration of the Governor's Message was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Speaker acquainted the House, that, pursuant to their Order, he had waited upon the Governor, who was pleased to declare, that if he were in good Health he would chearfully attend the Treaty proposed at *Albany*, to do the Province all the Service in his Power; but he was so indisposed, that it might endanger his Life to go thither at this Season of the Year; and therefore, if any Thing were done, it must be by Commissioners; that he thought one of the Council, and one or more Members of the Assembly, might be fitting Persons on the Occasion; and named *Thomas Lawrence* of the Council, *Isaac Norris*, and himself (the Speaker), as Commissioners for the Purpose. *Sept.* 6.

The House resuming the Consideration of the Governor's Message, and the Papers therein referred to,

Ordered, That *Thomas Leech*, *Israel Pemberton*, *Abraham Chapman*, *Samuel Levis* and *James Mitchel* be a Committee to prepare a Draught of an Answer to the Governor's Message, and that they report the same to the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Speaker communicated to the House a Letter the Governor had this Day received from *Conrad Weiser*, Interpreter to the Province, with Intelligence that Four Hundred *Indians*, Allies of the *Five Nations*, were gone in Pursuit of the revolted *Shawnese*, intending to cut them off; and that some young Warriors had lately passed by *Shamokin* in their Way to the Southward, against the *Catawbaes*, *&c.* which was read. *Post Meridiem.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read, and, with some Amendments, approved of by the House, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.* *Sept.* 7.

May it please the GOVERNOR,

SINCE "some late Transactions between the *French* Governor of *Canada* and the United Nations of *Indians*, in their Treaty at *Montreal*," have given Umbrage to our neighbouring Government, as well as Cause to apprehend the Dangers which may arise from thence, we esteem our being called together on so important an Occasion, as a fresh Instance of the Governor's Care of the Inhabitants of this Province, who are nearly concerned in the Consequences, and may therefore justly expect from us "the serious Consideration" recommended to us. The Assembly's Answer to the Governor's Message.

"The long approved Faith of these People, their grateful Acknowledgments for the Protection from Time to Time received from the *English* against the Attempts made by the Enemy to enslave them; the solemn Assurances lately given the Governor to observe a strict Neutrality in the present War, and to maintain inviolably their Friendship with the *British* Colonies, are good Reasons against the easy entertaining Suspicions to their Prejudice:" And yet, since there is some Cause to apprehend Danger from the Influence of the *French*, we think it highly necessary that prudent Measures be taken "for retaining these *Indians* in their Fidelity to his Majesty, and their Engagements with the respective *British* Colonies."

If

1745. Sept. 7.

If the Governor's Health would permit him to attend at the next Treaty appointed at *Albany*, it would be the moſt agreeable Method to us, as well as, in our Opinion, the moſt effectual. But as we are informed the Governor's Indiſpoſition is likely to deprive us of theſe Advantages, we approve of the Commiſſioners the Governor hath been pleaſed to nominate to negotiate this Affair; and it ſhall be our Care to provide a Sum of Money for defraying their Expences, and for purchaſing ſuch a Quantity of Goods as will, we hope, be ſufficient to preſent to the *Indians* at this Time, expecting it will be neceſſary to make an additional one on their coming hither next Spring.

As to the Application laſt made by the Government of the *Maſſachuſetts*, we think the Sum of Money we lately gave, and which is applied to their Uſe, ſhould excuſe us from any further Proviſion, at leaſt for this Time.

The laſt Letter the Governor gave Directions to be laid before us, gives us freſh Concern; for though the *Shawneſe* are thought perfidious, and not well affected towards the Inhabitants of this Province, yet as the Attempt made by the *Six Nations* to cut them off will introduce War on our Frontiers, it affords but a diſagreeable Proſpect. If the Account of the Warriors of the *Six Nations* going againſt the *Catawbaes* be true, contrary to their late Agreement, perhaps the Government of *Virginia* may juſtly expect Notice ſhould be given them to prevent the *Catawbaes* being deſtroyed by Surpriſe.

The Neceſſity of the Commiſſioners to attend the Treaty at *Albany*, with the Preſent propoſed to be made to the *Indians* of the *Six Nations*, is by this laſt Account rendered more conſpicuous, as it appears requiſite to remove the Prejudices they may have imbibed, and may cultivate a good Underſtanding with them."

And the ſame being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor and deliver the ſame, and acquaint him, that the Houſe are diſpoſed to adjourn this Day to the Time of their former Adjournment.

Reſolved, That *Two Hundred and Fifty Pounds* be allowed as a Preſent to the *Indians*, at the Treaty to be held at *Albany*.

Reſolved, That *One Hundred Pounds* be allowed for the Expences of the Commiſſioners, and Interpreter, who are to go to the Treaty at *Albany*.

An Order was accordingly drawn on the Truſtees of the Loan Office for the above Sums, and ſigned by the Clerk, by Order of the Houſe.

The Gentlemen appointed to wait on the Governor with the Meſſage of the Houſe, report, that they delivered the ſame according to Order, and that the Governor made no Objection to the Adjournment propoſed.

The Houſe reſuming the Conſideration of the Governor's verbal Meſſage, relating to the Support of the *French* Priſoners, after ſome Debate thereon,

Reſolved, That though the Houſe is of Opinion that the Charges are too high, and what ought not to be allowed hereafter, yet as the Governor had made the Agreement, the Sum of *Ten Shillings and Six-pence* per Week be allowed for the Board of the better Sort of thoſe Priſoners.

Then Orders for the ſeveral Allowances being drawn, and ſigned by the Speaker, by Order of the Houſe.

Adjournment. The Houſe adjourned to the Thirtieth Inſtant.

INCIDENTAL CHARGES.

Incidental Charges.

TO the Honourable GEORGE THOMAS, Eſq; the Remainder of his Support,	£	500	0 0
To *John Kinſey*, Eſq; Chief Judge of the Supreme Court,		150	0 0
To *Thomas Græme*, Eſq; another of the Judges,		50	0 0
To *William Till*, Eſq; another of the Judges,		50	0 0
To *Richard Patridge*, Eſq; his Salary as Agent, £100 Sterling,		175	0 0
To the Members of Aſſembly, for their Attendance, at 5/ per Day, the Groſs Sum,		250	19 6
To *Iſaac Norris*, for 12 Days Attendance on the Committee of Accounts, and ſinking Paper Money, at 5/ per Diem,		3	0 0
To *James Morris*, for 23 Days Ditto,		5	15 0
To *Edward Warner*, for 21 Days Ditto,		5	5 0
To *Abraham Chapman*, for 23 Days, Ditto,		5	15 0
To *Joſeph Harvey*, for 23 Days, Ditto.		5	15 0
To *Tench Francis*, Attorney General, by Order of the Houſe,		50	0 0
To *Richard Peters*, Secretary, his Salary as Clerk of the Council,		15	0 0
To Ditto, for other Services, as per Account allowed by the Houſe,		25	1 6
To *Benjamin Franklin*, as Clerk to the Houſe, and for Printing Votes, per Account,		31	16 0
Carried over	£	1323	7 0

INCIDENTAL CHARGES Continued, Brought over	£	s	d	1745.
To *Benjamin Franklin*, for Expresses to *Virginia* and *Maryland*, paid by him, by Order of the Governor,	24	5	0	*Sept.* 7.
To Postage of sundry foreign Letters, per Account, to the 9th of *November*, 1743,	12	11	4	
To *Samuel Kirk*, his Salary as Serjeant,	8	0	0	
To *Thomas Borden*, for his Attendance on the Assembly, and Committee, as Doorkeeper, as per Account,	9	14	10	
To *Charles Stow*, for summoning 25 Councils, at 2s 6d	3	2	6	
To *Conrad Weiser*, for his Trouble and Expences on *Indian* Affairs, per Account,	40	0	0	
To *John Stamper*, per Account,	6	11	4	
To *James Alcorn*, for Expences, *&c.* in bringing the *Indian Mushamelon* to *Lancaster* Prison, per Account,	5	10	1	
To *Nicholas Scull*, per Account,	9	9	8	
To *William Biddle*, per Account for Dieting *French* Prisoners,	39	13	10½	
To *Abraham Mason*, for Ditto, per Account,	7	4	0	
To *Sarah Montgomery*, for Ditto, per Account,	8	9	1	
To *Abraham Shelley*, for Ditto, per Account,	4	10	3	
To *Joseph Arthur*, for Ditto, per Account,	20	13	9	
	£	80	10 11½	
	£	1523	2 8½	

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1745.

BY the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen are duly chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.* *Oct.* 14. *Post Meridiem.*

For *Philadelphia* County.	*Bucks* County.	*Chester* County.
John Kinsey,	*John Hall*,	*Joseph Pennock*,
Isaac Norris,	*Mark Watson*,	*Thomas Cummings*,
Edward Warner,	*Mahlon Kirkbride*,	*George Ashbridge*,
Joseph Trotter,	*Benjamin Field*,	*Francis Yarnal*,
Thomas Leech,	*Abraham Chapman*,	*Robert Lewis*,
James Morris,	*John Watson*,	*Joseph Harvey*,
Robert Jones,	*Richard Mitchell*,	*Samuel Levis*,
Owen Evans.	*Cephas Child*.	*Thomas Chandler*.

For *Philadelphia* City.
Israel Pemberton, *Oswald Peele*, } Burgesses.

Lancaster County.
John Wright, *James Mitchell*, *Arthur Patterson*, *James Wright*.

And a Quorum being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and *Israel Pemberton* was chosen by a Majority of Voices; but he declining the Service, the House accepted of his Excuses, and proceeded to a new Choice; and then *John Wright* was chosen Speaker of this Assembly, and accordingly placed in the Chair.

Ordered, That *Edward Warner*, *Oswald Peele*, *John Hall*, *Samuel Levis* and *James Mitchell* wait upon the Governor, and acquaint him, that, in Pursuance of the Charter of Privileges and Laws of this Province, a Quorum of the Representatives have met and chose their Speaker; and desire to know when the Governor will be pleased to receive the House, that they may present him.

The Gentlemen return and report, That they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he would receive the House at Twelve o'Clock To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *Oct.* 15.

The Speaker with the whole House waited upon the Governor.

And being returned, the Speaker resumed the Chair and reported, that the House had waited upon the Governor and presented their Speaker, and that the Governor was

1745. Oct. 15. pleaſed to approve their Choice. That the Speaker had thereupon made the uſual Claim of Privileges, *viz.*

That the Houſe, during the Time of their Sitting in Aſſembly, may enjoy Freedom of Speech in all their Propoſitions and Debates.

That the better to diſcharge the Buſineſs of the Public, they may at all ſeaſonable Times have free Acceſs to the Governor.

That their Perſons and Eſtates may be protected from all Arreſts and Moleſtations during the Time of Privilege accuſtomed.

That the Governor would be pleaſed not to hearken to any Report that may be made to him, touching any Matter debated in the Houſe, until ſuch Time as it ſhall have paſſed into a Reſolve; nor give any Credit to ſuch Report.

That if the Speaker, in reporting any Thing to the Governor as the Senſe of the Houſe, chance to be miſtaken, ſuch Miſtake may not be imputed to the Houſe; but that he may have Liberty to reſort to them for their true Intent and Meaning, and that the Miſtake may be excuſed.

All which the Speaker had requeſted as the juſt Rights and Privileges of the People of *Pennſylvania*, derived and confirmed to them by the Charter and Laws of this Province. And the Governor was pleaſed to aſſure them that the ſame ſhould be inviolably preſerved.

Then the Qualification by Law directed, was taken and ſubſcribed, firſt by the Speaker in the Chair, and afterwards at the Table by the reſt of the Members preſent, in their Order.

Reſolved, That *Benjamin Franklin* be Clerk to this Houſe for the enſuing Year.

And he took the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Serjeant at Arms to this Houſe for the enſuing Year.

Reſolved, That *Thomas Borden* be Doorkeeper to this Houſe for the enſuing Year.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

Reſolved, That *Richard Patridge* be the Agent of this Province at the Court of *Great Britain* for the enſuing Year.

Reſolved, That *John Kinſey*, *Iſaac Norris*, *Thomas Leech* and *Iſrael Pemberton* be a Committee of Correſpondence.

Reſolved, That *Iſaac Norris*, *Edward Warner*, *James Morris*, *Abraham Chapman*, *Joſeph Harvey* and *James Wright* be a Committee to audit and ſettle the Accounts of the General Loan Office, and other Public Accounts; and to ſink and deſtroy the old Bills of Credit received in Exchange, purſuant to the laſt Paper Money Act; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That *Iſaac Norris*, *James Morris*, *John Hall*, *Samuel Levis* and *James Mitchell* be a Committee of Aggrievances for the enſuing Year; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That *Thomas Leech*, *Iſaac Norris* and *Iſrael Pemberton* be a Committee to reviſe the Minutes before they are printed.

Reſolved, That the Houſe will this Day adjourn to the firſt ſecond Day of the next 11th Month.

Ordered, That *Thomas Chandler* and *Mark Watſon* wait on the Governor, and acquaint him, that the Houſe is inclined to adjourn this Day to the 6th Day of the next 11th Month, if he hath no Objection to that Time.

The Gentlemen return and report, that they have waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay he had no Objection to the Time of Adjournment propoſed.

Adjournment Then the Houſe adjourned to the 6th Day of the 11th Month next.

11*th. Mo.* 6. A Quorum of the Repreſentatives met, purſuant to their Adjournment; and being informed by two Members of *Lancaſter* County, that the Speaker was indiſpoſed and unable to attend the Service of the Houſe, and deſired they would proceed to Buſineſs without him, his Abſence was excuſed, and *John Kinſey*, Eſq; was unanimouſly choſen Speaker in his Stead.

Ordered, That *Edward Warner*, *Oſwald Peele*, *John Hall*, *Joſeph Pennock* and *James Mitchell* wait upon the Governor, and acquaint him, that a Quorum of the Repreſentatives are met, purſuant to their Adjournment; that they have been informed that their Speaker is unable to attend the Service of the Houſe through Sickneſs, and therefore they have proceeded to a new Choice; and deſire to know when he will be pleaſed to receive them, that they may preſent their Speaker.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay he would receive the Houſe To-morrow at Twelve o'Clock.

Adjournment Then the Houſe adjourned to Eleven o'Clock To-morrow Morning.

11*th Mo.* 7. The Houſe met, and the Speaker with the whole Houſe waited on the Governor; and being

being returned, the Speaker reported, that the whole House had waited on the Governor, and presented their Speaker; that the Governor was pleased to express his Approbation of their Choice. That the Speaker had then said, that as the late Speaker had claimed the usual Privileges, it was not necessary for him to repeat them; except that which related to the Speaker particularly, *to wit*, That his unwilling Mistakes might be excused, and not imputed to the House. That the Governor was pleased to say, the Assemblies should be protected in all their Privileges as long as he continued in the Government. That the Governor had farther acquainted the House, that he should To-morrow Morning lay something before them for their Consideration. 1745. 11th Mo. 7.

Then the Qualification by Law appointed to be taken by Members of Assembly, was taken and subscribed by the Speaker, and by *Arthur Patterson*, a Representative for the County of *Lancaster*, who were not present at the last Meeting.

The House adjourned to Ten o'Clock To-morrow Morning. Adjournment 11th Mo. 8.

The Governor, by his Secretary, sent down a written Message to the House, together with several Letters referred to therein, and a Copy of the late Treaty with the *Indians* at *Albany*, which were read; and the Message follows in these Words, *viz.*

GENTLEMEN,

'I TAKE the first Opportunity, since the Return of the Commissioners from *Albany*, to lay before you my Instructions to them, and their Report of the Treaty held with the *Indians* of the *Six Nations* at that Place; and I make no Doubt but their Conduct will be as satisfactory to you as it is to me. You will observe by the last Article of those Instructions, that had I been at Liberty to follow my own Judgment, and been secured of a Fund for supplying those Nations with Arms, Ammunition, and other Necessaries, for acting offensively against the *French*, I should, in Conjunction with the neighbouring Governments, have urged them to an immediate Declaration of War, as the only Means, in my Opinion, of securing their Fidelity to his Majesty; for as it seems next to impossible for them to maintain their Neutrality much longer, if they are not speedily engaged by his Majesty's Colonies, their own Security will oblige them to join with the Enemy: Besides, it is certainly the Reverse of good Policy to indulge our *Indians* in a Neutrality, after the *French* have compelled theirs to take up the Hatchet; it is giving the Enemy an Advantage, which they have already made use of, and will continue so to do, to the Destruction of the Inhabitants upon the Frontiers of the several Provinces. Before I quit this Subject, I must acquaint you, that by a Letter received, since your last Meeting, from the Governor of *Virginia*, I am informed, that the *Catawbaes* have refused to come to *Philadelphia*, as being too distant from their Country, and have declared, that they will not regard any Propositions made to them by the *Six Nations*, without first receiving a Token from them, attested by the Marks of some of their Sachims; and that from hence it is concluded, any farther Endeavours to reconcile them will be ineffectual. As this Mediation was set on Foot at the Desire of Governor *Gooch*, was to be carried on at the Expence of his Government, and has since been declined by him for the Reasons before mentioned, I forthwith took the propereſt Measures to make the *Six Nations* acquainted with the *Catawbaes* Resolutions, that their Deputies might be prevented from coming hither in the Spring, as well to save them the Trouble of a fruitless Journey, as us the Expence of maintaining them for some Time here, and of making them a Present at their Departure. There will probably be too frequent Occasions, during the Continuance of the War, for Expences of this Kind. The Governor's Message.

'You will observe, from the Information transmitted by the Governor of *New-York*, that Preparations have been making by the *French* and their *Indians*, upon a Branch of the River *Missisippi*, for an Attack upon the back Parts of this and some of the neighbouring Colonies. Although there should be no real Foundation for this Account, it is not improbable that something will be attempted upon us this Winter by the Enemy, since *Chartier* is gone over to them with a considerable Party of the *Shawnese*, who is well acquainted with the back Parts of this Province, knows the defenceless Condition of the Inhabitants, and is of a savage, treacherous Disposition. This, and some other Circumstances, considered, I forthwith dispatched a Messenger with circular Letters to the Officers appointed for a Militia in *Lancaster* County, with Orders to them, to be upon their Guard, and to make the best Preparations they could for their Defence; enjoining them, at the same Time, to be very careful not to do any Injury to the *Indians* in Amity with us, or to molest them in their Hunting. I likewise sent Directions to Mr. *Weiser* to employ some of the *Delaware Indians* at *Shamokin* as Scouts to watch the Enemy's Motions and to engage the whole Body of *Indians* there to harrass them in their March, in case they should attempt any Thing against us, and afterwards to join our remote Inhabitants for their mutual Defence. These Measures appeared to me so absolutely necessary, that I could not doubt of your enabling me to defray any Expence that may attend them.

'The

1745 11th Mo. 8.

'The last Post brought me a Letter from Admiral *Warren*, dated at *Louisburgh*, the 'Twenty-sixth of *November*, in which he advises me, that no Ships were then arrived 'there from *Britain*, and that as it is probable the Regiments expected from *Gibraltar* 'will be forced to the *Leward Islands* by the Severity of the Season, and not arrive at '*Louisburgh* in Time for its Defence against the Preparations which he hears are making 'in *Canada* to attack it early in the Spring, and even then be perhaps extremely weakened 'by Sickness and other Accidents; he calls upon me, agreeable to his Grace the 'Duke of *Newcastle's* Letter, formerly laid before you, to raise a Number of Men for the 'Defence of that important Acquisition, and to send them, with a Quantity of Provisions 'sufficient for their Support there, by the Middle of *March* next. He further informs 'me, that he thinks himself authorized, in Conjunction with Sir *William Pepperill*, to 'draw Bills for defraying the Expence, and has sent me an Extract of the Duke of *New-'castle's* Letter to that Purpose; but as no Bills have been remitted to me for this Ser-'vice, nor Officers sent to raise the Men, I must apply to you, and I doubt not but it 'will be a Service very acceptable to his Majesty, for an Advance of so much of the Pu-'blic Money as will be necessary for paying, victualling and transporting as many Men 'as can be raised in so short a Time; and for rewarding such Officers as shall be com-'missioned to raise and to conduct them to *Louisburgh*; since no Commissions granted by 'me can intitle them to any Command in that Garrison, or elsewhere out of this 'Government.

'I need not tell you, that the last Vessels from *Europe* confirmed the Account, that 'a most unnatural Rebellion had broke out, and was then carrying on in *Scotland*, in Fa-'vour of a Popish Pretender, supported by *France* and *Spain*. At this Distance we can 'only pray that the Great GOD of Battles will grant Success to his Majesty's Arms, and 'that he will confound the Devices of all his and our Enemies, open and concealed. 'I trust that, through the Favour of Heaven, and the Justice of his Majesty's Cause, we 'shall soon have an Opportunity of offering our Congratulations upon an Event so desire-'able by Protestants of all Denominations, as well as by all that are for preserving the 'Freedom and Independency of their Country.

'Having mentioned every Thing to you of a Public Concern that occurred to me, 'I have only to assure you, that whatever shall be laid before me for the Welfare of the 'Province, will meet with a favourable Reception, and as much Dispatch as the Nature 'of the Business will admit of.

January 8, 1745-6. *GEORGE THOMAS.*"

A Petition from a great Number of the Inhabitants of the back Parts of *Lancaster* County, setting forth, that they are settled on the Frontiers of the Province, and thereby subject to the first Attacks of the Enemy, who, as there is Reason to believe from late Informations, design an Attempt on this Province some Time this Winter; that being chiefly new Settlers, they are not able to provide Arms and Ammunition for their Defence, and praying that the House would order them a Supply of both; was presented to the House, and read. *Ordered to lie on the Table.*

Adjournment *Post Meridiem.* Then the House adjourned to Three o'Clock *P. M.*

The Governor's Message was again read and considered, and the further Consideration thereof adjourned to To-morrow Morning.

A Petition from sundry Inhabitants of the Borough of *Lancaster* was presented to the House and read, setting forth, that the Petitioners, being *Lutherans* by Profession, had, with others, at a great Expence, built a Church in the said Borough for the Exercise of their religious Worship; in which they had of late been made uneasy, by their Minister's joining with the *Moravians*, thereby causing a Division in the Church; so that the Petitioners, with many others, must either hear a Doctrine they do not approve of, or leave the Church to him and his Party; and praying that the House would grant such Relief as shall seem meet. *Ordered to lie on the Table.*

Ordered, That *Thomas Leech*, *Oswald Peele*, *Abraham Chapman* and *John Hall* be a Committee to inspect the Laws of this Province, and report which of them are expired, or near expiring, and ought to be re-enacted; with their Opinion what Amendments to them or others may be necessary.

Adjournment Then the House adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 9. The Governor's Message was again read and considered Paragraph by Paragraph,

Ordered, That *Thomas Leech*, *Israel Pemberton*, *John Watson*, *Joseph Pennock* and *James Wright* be a Committee to prepare a Draught of an Answer to the said Message, and report the same to the House.

Adjournment *Post Meridiem.* Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to inspect the Laws of the Province, and report what Acts were near expiring, *&c.* made their Report in Writing, which was read, and follows in these Words, *viz*,

Report of the Committee to inspect the Laws, *&c.* WE, the Committee appointed to inspect the Laws of this Province, and to examine which are near expiring or expired, *&c.*

Do

Do report, That the Act for the more easy and speedy Recovery of small Debts; 1745.
The Act for continuing and amending the Act of Assembly, entituled, *A Supplement to the Act for electing Members of Assembly*, &c. And, 11th Mo. 9.
The Act for the better securing the City of *Philadelphia* from the Danger of Gunpowder: All three expire this Year.

That the Acts about the Poor want some Amendments.

That the Act for vesting the State-House, *&c.* in Trustees, for the Use of the Province, *&c.* directs, that *Andrew Hamilton* and *William Allen* should make a good and sufficient Deed to the Trustees, *&c.* which we suppose is not yet done.

That the Act for re-emitting Paper Money will cease in a few Years. And as the said Currency conduces so much to the Trade and Benefit of this Province, we think it necessary to provide in time for the Continuance thereof.

That the Act to prevent the grievous Sin of Cursing and Swearing wants a Supplement, the better to enforce the Execution thereof.

That the Act for erecting of Houses of Correction and Work-houses in the respective Counties of this Province, having not been complied with in the County of *Bucks*, by building the said Houses within the Time limited in the said Act, we think a Supplement is necessary, to enable the said County to build, maintain and support such Houses.

Submitted to the Consideration of the House, by

THOMAS LEECH, JOHN HALL,
ABRAHAM CHAPMAN, OSWALD PEELE."

Ordered, That *Thomas Leech*, *Abraham Chapman* and *Joseph Pennok* be a Committee to prepare and bring in a Bill for the more easy and speedy Recovery of small Debts.

Ordered, That *Thomas Leech*, *Abraham Chapman* and *Joseph Pennock* be a Committee to prepare and bring in a Supplementary Bill to the *Act for electing Members of Assembly*.

Ordered, That *Israel Pemberton*, *Oswald Peele* and *James Morris* be a Committee to prepare and bring in a Bill to secure the City of *Philadelphia* from the Danger of Gunpowder.

Ordered, That *Israel Pemberton*, *Oswald Peele*, *James Morris*, *Edward Warner*, *Joseph Trotter* and *Thomas Leech* be a Committee to prepare and bring in a Bill for the Amendment of the several Laws relating to the Poor.

Ordered, That *Israel Pemberton*, *Abraham Chapman* and *Samuel Levis* be a Committee to prepare and bring in a Bill to continue the re-emission of the Paper Money.

Ordered, That *Robert Jones*, *Owen Evans*, *Richard Mitchell* and *Arthur Patterson* be a Committee to prepare and bring in a Supplementary Bill to the *Act for preventing the grievous Sins of Cursing and Swearing*.

Ordered, That *John Watson*, *Cephas Child*, *John Hall* and *Mahlon Kirkbride* be a Committee to prepare and bring in a Bill to enable the County of *Bucks* to build Work-houses, *&c.*

Ordered, That *Israel Pemberton*, *Joseph Harvey*, *Thomas Chandler*, *George Ashbridge* and *Richard Mitchell* be a Committee to prepare a Bill for amending the Flour Act.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, sent down a written Message to the House, which 11th Mo. 10.
was read, and follows in these Words, *viz.*

GENTLEMEN,

'SINCE the Meeting of your House, a Petition has been presented to me from a con- The Gover-
'siderable Number of the Inhabitants of *Lancaster* County, setting forth their Want nor's Message
'of Arms and Ammunition, and their Inability to purchase any, from their having ex-
'pended what little Substance they had in Clearing and Improving their Lands; and
'praying, that I would recommend to the Assembly the making such a Provision of both,
'as may enable them to defend themselves against any Enemy that shall attempt to dis-
'turb them.

'Whether there be any Truth in the late Intelligence from *Minisink* or not, it
'must be allowed, that there is a Possibility of an Attack upon us; and even in that
'Case, some Provision should be made for the Security of our Frontier Settlements at
'least.

'If the Expence of supplying such a Number of People with Arms should be thought
'too great, three or four Hundred may be purchased, and delivered to those that want
'them most, and are most likely to make a right Use of them; they giving a Note of
'Hand either to return them in good Order at a certain Time, or to pay the Cost of them
'into the Public Treasury, agreeable to the Practice in some other Colonies.

Jan. 10, 1745-6. *GEORGE THOMAS.*"

The Consideration of the Governor's Message is adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Message of Yesterday was again read and considered. 11th Mo. 11.

1745. 11th Mo. 11. *Ordered*, That *Iſrael Pemberton*, *James Morris*, *Mark Watſon*, *Joſeph Pennock* and *Arthur Patterſon* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage, and report it to the Houſe.

The Petition from a Number of Inhabitants of *Lancaſter* County, praying a Supply of Arms, *&c.* was again read and conſidered, and referred to the Committee on the Governor's Meſſage; who are to report their Opinion what is proper for the Houſe to do therein.

Adjournment. Then the Houſe adjourned to next ſecond Day at Three o'Clock, *P. M.*

11th Mo. 13. The Houſe met, purſuant to their Adjournment.

A Petition from *Owen Jones*, of the City of *Philadelphia*, was preſented to the Houſe and read, praying, that he may be appointed the Officer for putting the Flour Act in Execution. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 14. The Committee appointed to prepare a Draught of an Anſwer to the Governor's firſt Meſſage, reported the ſame to the Houſe; and it was read, and referred to further Conſideration in the Afternoon.

A Petition from *Elizabeth Chancellor*, Daughter and acting Executrix of *William Chancellor*, late of *Philadelphia*, deceaſed, ſetting forth, that the ſaid *William Chancellor*, in Purſuance of an act of Aſſembly of this Province, did at a conſiderable Expence erect a ſuitable Houſe for the ſafe Keeping of Gunpowder, where due Attendance has hitherto been given, for receiving and delivering out the ſame; but the ſaid Act being now near expiring; and a numerous Family of ſmall Children left by the ſaid *William*, having little other Dependance for their Support and Education, than the Profits that may ariſe out of the ſaid Powder-houſe; the Petitioner in their Behalf prays, that the ſaid Act may be renewed in their Favour, and the Powder-houſe continued in the Place it now is, for ſuch longer Term as to the Houſe may ſeem meet; was preſented to the Houſe and read, and ordered to lie on the Table.

A Petition of *John Lewis*, of the County of *Cheſter*, was preſented to the Houſe and read, praying, that he may be appointed the Officer for executing the Flour Act. *Ordered to lie on the Table.*

A Petition from *John Potts*, *Henry Harry*, *William Bird* and *Francis Parvin*, in Behalf of themſelves and a great Number of other Inhabitants of *Lancaſter* and the back Parts of *Philadelphia* Counties, formerly Petitioners to the Houſe for the erecting of a new County, was preſented to the Houſe and read, praying, that their former Petitions may now be conſidered; and that for the Reaſons therein contained, a new County may be laid out and erected, according to the Lines drawn in a Map then laid before the Houſe, or in ſuch other Manner as to the Houſe ſhall ſeem meet. *Ordered to lie on the Table.*

The Committee appointed to prepare and bring in a Bill for the more eaſy Recovery of ſmall Debts, reported the ſame to the Houſe; and it was read the firſt time, and ordered a ſecond Reading.

The Committee appointed to prepare and bring in a Bill for amending the ſeveral Acts for electing Members of Aſſembly, reported the ſame to the Houſe, and it was read the firſt time, and ordered a ſecond Reading.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Anſwer to the Governor's Meſſage was again read and conſidered; and ordered to be tranſcribed, that it may be ſent to the Governor.

A Petition from ſundry Inhabitants of the Borough of *Briſtol* was preſented to the Houſe and read, ſetting forth, that there is frequent Occaſion in the ſaid Borough of raiſing Money to defray the neceſſary Charges of Regulating and Repairing the Streets, Public Wharfs, Landing Places, Stocks, Stalls, *&c.* and that a Market-houſe, Houſe of Correction and Workhouſe are now wanted there; and praying, that, as their Corporation hath no Power to raiſe Money for ſuch Purpoſes, the Houſe would, on Conſideration of the Premiſes, grant them ſuch Relief as ſhall ſeem meet. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 15. The Meſſage to the Governor being tranſcribed, was read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Anſwer to the Governor's Meſſage. WE have under our Conſideration the Inſtructions the Governor was pleaſed to give to the Commiſſioners appointed to treat with the *Indians* at *Albany*, and their Report concerning that Treaty, laid before us by the Governor's Directions; both are very ſatisfactory to us; the former, as it is a freſh Inſtance of the Governor's Care for the Inhabitants of the Province, and for which we therefore render him our hearty Thanks; and the latter, as it ſhews the *Indians* of the *Six Nations* yet retain their antient Friendſhip towards this and other the King's Colonies in *America*. War, in moſt Caſes, is attended with ſome diſagreeable Conſequences, amongſt *Indians* with many and of the

worſt

worst Kind; for which, and other Reasons, it would have been most agreeable to us, if the Circumstances of public Affairs would admit the *Indians* of the *Six Nations* to remain neutral: And it gives us great Concern, that the pernicious Conduct of the *French* at *Canada*, in setting their *Indians* on destroying the Inhabitants of some of our neighbouring Governments, hath given them so much Cause to think they are put under the Necessity of engaging the *Indians* in Amity with us to declare War against the *French* and their *Indians*, and to avenge themselves of the Injuries done. 1745. 11th Mo. 15.

We could have heartily wished the Mediation which the Governor was pleased to undertake, at the Desire of the Governor of *Virginia*, to obtain a Reconciliation between the *Indians* of the *Six Nations* and the *Catawbaes*, had been effectual; their destroying each other not only weakens the *British* Interest in *America*, but at this Time must be particularly injurious to the *Six Nations*, as they are likely to be engaged by the Government of *New-York* in a War with the *French* and their *Indians*; but if Colonel *Gooch*, at whose Request this Mediation was undertaken, continues to decline it, we know not what further can be done. We think, however, it was prudently done in the Governor to acquaint the *Six Nations* with the Resolutions the *Catawbaes* have taken, as well to save their Deputies the Trouble of a fruitless Journey, as us the Expence it must otherwise have occasioned.

When we consider the Information transmitted to the Governor of *New-York*, now laid before us, touching the Preparations said to be making by the *French* and their *Indians*, upon a Branch of the River *Mississippi*, for an Attack upon the back Parts of this and some of the neighbouring Colonies, in all its Circumstances, it leaves us room to doubt whether it hath a real Foundation. It was, however, discretely done in the Governor to acquaint the People of *Lancaster* County with the Report; and as the employing of some of the *Delaware Indians* to keep Watch, and to give those Inhabitants Notice if any Danger shall approach, may contribute to render them the easier in their present Situation, we approve of the Governor's Conduct therein, and the Expence which shall arise by this Means we are willing to pay.

As to the Letter the Governor is pleased to lay before us, received from Admiral *Warren*, in relation to Cape *Breton*; since we have so lately given a Sum of Money, which was laid out in Provisions, and which the Governor was pleased to apply to the Use of the Garrison on that Island; and as the Admiral thinks himself, in Conjunction with Sir *William Pepperill*, authorized to draw Bills for any Purposes which they shall think necessary to preserve that important Acquisition, we think they can be at no Loss, especially at a Time when Bills of Exchange are in so great Demand, to raise any Sum of Money they may think fitting, without any Assistance of ours.

The unnatural Rebellion which hath broke out, and was lately carrying on in *Scotland*, supported by *France* and *Spain*, gives us great Concern. It is astonishing to us how any of our Fellow-Subjects, who enjoy so many and great Privileges under the present happy Establishment, should be so blinded towards their true Interest, as to countenance a Popish Pretender against our present King; and we heartily join in our Prayers to Almighty God to establish his Throne, protect his Royal Person, and confound the Devices of his Enemies, open and concealed.

We return the Governor hearty Thanks for the Assurance he is pleased to give us, "That whatever shall be laid before him for the Welfare of the Province, will meet "with a favourable Reception." We have divers Things of this Kind now before us, which, in due Time, we shall offer to his Consideration, "not doubting of as much Dis-"patch as the Nature of the Business will admit of."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Mark Watson* and *Richard Mitchell* carry up the same to the Governor.

A Bill, entituled, *A Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable*, was read the first time, and ordered a second Reading.

The Petition from the Inhabitants of the Borough of *Bristol* was again read; and the same is referred to the Consideration of the Committee who are to bring in a Bill for empowering the County of *Bucks* to build Work-houses, *&c.*

Ordered, That the Charter of the Borough of *Bristol* be laid before the House in the Afternoon.

A Petition from *Robert Sewell*, of the City of *Philadelphia*, was presented to the House and read, praying, that if the Flour Officer is changed, he may be appointed to execute that Office. *Ordered to lie on the Table.*

The Petition from *John Potts*, and others, for a new County, was again read, and referred to further Consideration.

The Petition of *Elizabeth Chancellor* was again read, and referred to the Committee who have under Consideration a Bill relating to the Powder-house.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait on the Governor with the Message of the House, report that they have delivered the same according to Order. *Post Meridiem.*

A Pe-

1745. 11*th Mo.* 15. A Petition from *Joſeph King*, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that he is informed there is a Diſpoſition in the Houſe to remove the preſent Flour Officer from his Office, that he hath for a conſiderable Time paſt acted as Deputy to the ſaid Officer, and conceives he hath in that Station given general Satisfaction, as may appear by ſeveral Teſtimonies of a Number of Merchants and Millers laid before the Houſe; and praying, that if the preſent Officer is removed, he may be appointed to ſucceed him. *Ordered to lie on the Table.*

The Charter of the Borough of *Briſtol* was laid before the Houſe by a Member of *Bucks* County, and read by Order.

The Petition from the *Lutheran* Inhabitants of the Borough of *Lancaſter*, was read a ſecond time, and conſidered; and the Petitioners are referred to ſuch Remedy as they may be adviſed to take in order to right themſelves by Law.

A Petition from *Nathaniel Grubb*, of *Cheſter* County, was preſented to the Houſe and read, praying, that he may be appointed the Officer for putting the Flour Act in Execution. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 16. The Bill for the more eaſy and ſpeedy Recovery of ſmall Debts was read a ſecond time, and conſidered, and the further Conſideration thereof was adjourned to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe reſumed the Conſideration of the Bill for the more eaſy and ſpeedy Recovery of ſmall Debts, and having gone through the ſame, it was ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th. Mo.* 17. The Bill for amending the ſeveral Acts for electing Members of Aſſembly was read a ſecond Time, and debated; and the farther Conſideration thereof was adjourned to the Afternoon.

A Petition from *Samuel Carpenter*, the preſent Officer for executing the Flour Act, was preſented to the Houſe and read, gratefully acknowledging the Favour of his Appointment to that Office, and ſetting forth, that being himſelf weak and indiſpoſed, he hath always taken Care by a well qualified Deputy, to have the Act well executed; that though there is no Ground for Complaint, the Reputation of our Flour advancing abroad, yet he is informed ſeveral Perſons are unkindly petitioning the Houſe for his Office; and praying, that thoſe Petitions may be diſmiſſed. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe continued the Reading and Conſideration of the Bill for amending the ſeveral Acts for electing Members of Aſſembly, and having gone through the ſame, it was ordered to be engroſſed for a third Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 18. A Petition from a conſiderable Number of the Inhabitants and Owners of Lots at the Northerly End of the City of *Philadelphia*, and in the *Northern Liberties*, ſetting forth, that they are deterred from further Building and Improving on the ſaid Lots by the near Situation of the Powder-houſe, from whence they apprehend Danger; that many good Tenements would ſoon be begun, with Wharfs and Stores, contributing much to the Beauty and Advantage of the ſaid City and Neighbourhood, and the Employment of Artificers and Labourers, if that Obſtacle was removed; which would alſo expedite the erecting a new Market in the Place laid out for that Purpoſe, to the great Conveniency of the neighbouring Inhabitants now grown numerous, and of the Country People who ſhould be willing to ſupply it with Proviſions; and therefore praying, the Houſe would direct a Powder-houſe to be built in ſome other Place more ſuitable; was preſented to the Houſe and read, and ordered to lie on the Table.

The Petition of *John Potts*, and others, for a new County was again read, and referred to further Conſideration.

A Minute of the laſt Aſſembly relating to a Dam over *Neſhamineh* Creek was read, upon Motion, and the Affair referred to further Conſideration.

Adjournment. Then the Houſe adjourned to next Third Day at Three o'Clock, *P. M.*

11*th Mo.* 21. The Houſe met purſuant to their Adjournment, and adjourned to Ten o'Clock To-
Adjournment morrow Morning.

11*th Mo.* 22. The engroſſed Bill for the more eaſy and ſpeedy Recovery of ſmall Debts was read the third time.

Reſolved, That the Bill do paſs.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The engroſſed Bill for amending the ſeveral Acts for electing Members of Aſſembly, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *John Hall* and *Oſwald Peele* carry up the ſaid Bills to the Governor, and deſire his Concurrence thereto.

A Bill

A Bill for the re-emitting and continuing the Loan of the Bills of Credit of this Province, was brought in by the Committee for that Service appointed, and read the first time; and ordered a second Reading. 1745. 11th Mo. 22.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition from a Number of Inhabitants of the City of *Philadelphia*, relating to the Powder-house, was again read, and referred to the Committee who have the Powder-house Bill under their Consideration. 11th Mo. 23.

The Gentlemen appointed Yesternight to wait upon the Governor with the Bills that had past the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would give them all the Dispatch he could.

The Bill for re-emitting and continuing the Loan of the Bills of Credit of this Province was again read, and referred to further Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Bill for the re-emitting and continuing the Loan of the Bills of Credit of this Province; and the same being read Paragraph by Paragraph, and debated, the further Consideration thereof was adjourned till To-morrow Morning. *Post Meridiem.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Bill for re-emitting and continuing the Loan of the Bills of Credit of this Province; and the same was re-committed to the Committee that brought in the same for Amendments. 11th Mo. 24.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Reading and Consideration of the Supplement to the Flour Act; and after some Time spent therein, adjourned the same to To-morrow Morning. *Post Meridiem.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The farther Consideration of the Flour Bill was adjourned to next Third Day Morning. 11th Mo. 25.

A Bill for the better regulating the Nightly Watch in the City of *Philadelphia*, was brought in by a Member with the Leave of the House, and read the first time, and ordered a second Reading.

A Supplementary Bill to the Act, entituled, *An Act for erecting Work-houses and Houses of Correction in the respective Counties*, &c. was brought in by the Committee to that Service appointed; and read the first time, and ordered a second Reading.

Then the House adjourned to next Second Day at Three o'Clock, *P. M.* Adjournment

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning. 11th Mo. 27. Adjournment

A Bill for amending the Laws relating to the Poor, and for the better appointing of Overseers of the Poor within the City of *Philadelphia*, was brought in by the Committee to that Service appointed, and read the first time, and ordered a second Reading. 11th Mo. 28.

The Governor, by his Secretary, sent down the Bill for the more easy and speedy Recovery of small Debts, and the Bill for amending the several Acts for electing Members of Assembly, with some small Amendments, which were read.

The Supplementary Bill to the Act for erecting Houses of Correction and Work-houses, *&c.* was read a second time, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Supplementary Bill to the Act, entituled, *An Act for preventing the Exportation of Bread and Flour not merchantable*; and the same was re-committed to the Gentlemen that brought in the same for Amendments. *Post Meridiem.*

A Bill for erecting a House of Correction and Work-house in the Borough of *Bristol*, &c. was brought in by the Committee appointed to that Service, and read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House took into Consideration the Amendments proposed by the Governor to the two Bills that had been laid before him; and the same were agreed to; and the Bills amended accordingly; and ordered to be engrossed. 11th Mo. 29.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the House have agreed to the Amendments proposed by him; and that they think some Inconveniencies would arise, if the Addition were made relating to Attachments under *Five Pounds*, which he was pleased to recommend to their Consideration; and therefore they have not gone into it.

The Gentlemen return and report, that they waited on the Governor, and delivered the Message of the House, according to Order.

The House resumed the Consideration of the Supplementary Bill to the *Act for erecting Houses of Correction and Work-houses in the respective Counties*, &c. and after some Debate, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Bill for the more effectual suppressing of profane Cursing and Swearing, was brought *Post Meridiem.*

1745. 11th Mo. 29. in by the Committee to that Service appointed, and read the firſt time; and ordered a ſecond Reading.

The Houſe reſumed the Debate on the Supplementary Bill to the *Act for erecting Houſes of Correction and Work-houſes*, &c. and after ſome Time ſpent therein, the ſame was re-committed to the Committee that brought in the ſame for Amendments.

The Bill for amending the Laws relating to the Poor, and for the better Appointment of Overſeers of the Poor within the City of *Philadelphia*, was read a ſecond time, and conſidered; and the farther Conſideration thereof was adjourned till To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 30. An Account of *Thomas Ellis*, for Glazing the State-houſe, in the Time that *Andrew Hamilton*, Eſq; was Superintendant, amounting to *Twenty Pounds Eight Shillings* and *Nine-pence*, being laid before the Houſe, was read, and allowed; and ordered, that an Order upon the Treaſurer iſſue under the Hand of the Speaker, in full Diſcharge of the ſame.

A ſecond Petition from a conſiderable Number of the Inhabitants of *Philadelphia* and *Lancaſter* Counties, praying to be ſet off into a new County, &c. was preſented to the Houſe, and read; and ordered to lie on the Table.

The Supplementary Bill to the *Act for erecting Houſes of Correction and Work-houſes*, &c. was brought in with Amendments, by the Committee to whom it was re-committed; and it was read, and ordered to be engroſſed for a third Reading.

The Bill for amending the Laws relating to the Poor, &c. was read Paragraph by Paragraph, and debated; and the ſame was re-committed to the Gentlemen that brought in the ſame, for Amendments.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. *Iſaac Norris*, returned a Repreſentative for the County of *Philadelphia*, appeared in the Houſe, and having taken and ſubſcribed the Qualification by Law appointed to be taken by the Members of Aſſembly, he took his Seat in the Houſe accordingly.

The Bill for amending the Laws relating to the Poor, &c. was brought in with Amendments by the Gentlemen to whom it was committed; and being read, was ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 31. The Houſe reſumed the Reading and Conſideration of the Supplementary Bill to the Act for preventing the Exportation of Bread and Flour not merchantable; and after ſome Debate thereupon, the farther Conſideration thereof was adjourned to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock in the Afternoon.

Poſt Meridiem. The Houſe proceeded in the Reading and Conſideration of the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*; and after long Debate thereon, the farther Conſideration thereof was adjourned to To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 1. The Bill for Amendment of the Laws relating to the Poor, &c. being engroſſed, was read a third time;

Reſolved, That the Bill do paſs.

The Supplementary Bill to the Act for erecting Houſes of Correction and Work-houſes, &c. being engroſſed, was read the third time;

Reſolved, That the Bill do paſs.

Ordered, That *Mark Watſon* and *Mahlon Kirkbride* carry up the ſaid Bills to the Governor, and deſire his Concurrence thereto; and farther, that they acquaint him the Houſe is inclined to adjourn this Day for two Weeks, if he hath no Objection.

The Gentlemen return and report, that they waited upon the Governor and delivered the Bills according to Order, and that he was pleaſed to ſay he would give them all the Diſpatch he could; that they had alſo acquainted the Governor with the propoſed Time of Adjournment, on which he was pleaſed to ſay he had ſome Matters of Importance that came to his Hands late laſt Night, to lay before the Houſe, which muſt be accompanied with a Meſſage that was not yet quite ready, and therefore he could not approve of the Adjournment propoſed.

The *Lancaſter* Members were, at their Requeſt, excuſed from attending the Service of the Houſe next Week.

Adjournment. Then the Houſe adjourned to next Second Day at Three o'Clock, *P. M.*

12th Mo. 3. The Houſe met, purſuant to their Adjournment.

The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, with two Letters referred to therein, which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. 'HAVING received a Letter from Governor *Clinton*, and another from Governor *Shirley*, by the laſt Poſt, I have ordered the Secretary to lay them before you: 'And as I cannot take upon me to enter into any Engagements in Behalf of this Go-'vernment without your Concurrence and Aſſurance of enabling me to perform them;

'my

'my Answers to these Letters must arise from the Resolutions of your House. My Sen- 1745.
'timents of the Necessity of an Union of the several Colonies for the Defence of their 12th Mo. 3.
'Frontiers, and of securing the Fidelity of the *Six Nations* and the *Indians* dependent
'upon them, and my Apprehensions of their being otherwise seduced by or compelled
'to join with the Enemy, have been so lately made known to you that I need not re-
'peat them.—If you shall agree to my appointing Commissioners to confer with such
'as are and shall be appointed by the Governors of the several Colonies, I shall chear-
'fully assist them with the best Instructions I can form for their Conduct in an Affair
'of so great Importance.

February 3, 1745-6. GEORGE THOMAS."

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Message, and the Letters that accompanied it, were again read and 12th Mo. 4.
considered.

Ordered, That *Isaac Norris*, *Robert Jones*, *Oswald Peele*, *Joseph Pennock*, *Abraham Chapman* and *James Mitchell* be a Committee to prepare a Draught of an Answer to the Governor's Message, and report the same to the House.

An Order drawn on the Treasury, was signed by the Speaker, for the Payment of *Twenty Pounds Eight Shillings* and *Nine-pence* to *Thomas Ellis*, in full of his Account.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of an Answer to the Governor's Mes- 12th Mo. 5.
sage, reported the same to the House, and it was read by Order, and considered, and ordered to be transcribed, that it may be sent up to the Governor.

Resolved, That the House will this Day adjourn to the 24th Instant.

Ordered, That the Clerk send to *England* for the best Edition of the Statutes at large, for the Use of the House, and also for some large Maps (one of *North America*) to be hung up in the Assembly Room.

The Message to the Governor being transcribed, was read, and follows in these Words, *viz.*

May it please the GOVERNOR,

The Assembly's Answer to the Governor's Message.

WE have taken into our Consideration the last Message, with the two Letters which the Governor was pleased to send us; and as to the Proposal made by the Governor of *New-York* for the Appointment of Commissioners from the several Colonies, we think it will be both difficult and unnecessary for us to be particular in our Sentiments concerning it, until we are ascertained how it will be taken by other Colonies; and whether any, and which of them, shall concur in such an Appointment. If such Commissioners shall be thought necessary for securing the *Indians* of the *Six Nations* in the *British* Interest, or for any other Purposes which may appear to us to be for the general Good, we shall chearfully concur in it: And when we are made acquainted that such an Appointment is generally acceded to by other Colonies, and the Time and Place of Meeting be proposed, it will then, we think, be Time enough for us, who are near the Center of these Colonies, and who meet frequently on the Public Affairs of the Province, to deliver our Resolutions thereupon.

As to the Letter from Governor *Shirley*, we observe it was written before the Account of the Arrival of the Regiments sent from *Gibraltar* to the Garrison at *Louisburgh*; and the Proposition he makes, appears to us to be intended principally as an Expedient to have taken Place in Case of their Miscarriage; and as by the Public Accounts there is Reason to believe those Regiments are since arrived, we presume the Necessity of the Application to this Province may be removed.

The Expedition to *Carthagena*, the Manning of divers private Ships of War, and the Numbers which have inlisted in the King's Service, with the recruiting Officers from the Islands of *Jamaica* and *Antigua*, have drained this Province of many of its Inhabitants; and had we no other Objections, we conceive it can hardly be thought reasonable the Province of the *Massachusetts* should have the Assistance required from hence, even though it were necessary, rather than from *Rhode-Island*, *Connecticut* and *New-Hampshire*, whose Situation and Engagements interest them more deeply than us in the Preservation of *Nova Scotia* and *Cape Breton*."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Thomas Chandler* and *Samuel Levis* wait upon the Governor with the same, and acquaint him, that the House intends to adjourn this Day to the 24th of the present Month, if he hath no Objection to that Time.

Ordered, That the Superintendants of the State-house provide some Means of breaking the Echo in the Assembly-room, that the Members may better hear one another.

The Gentlemen return and report, that they waited upon the Governor and delivered the Message of the House according to Order, and that the Governor was pleased to say he had no Objection to the Adjournment proposed.

Then the House adjourned to the Twenty-fourth of the 12th Month. Adjournment

THE

1745. THE Houſe met, purſuant to their Adjournment.

12th Mo. 24. *Poſt Meridiem.* *Ordered*, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the Houſe is met according to their Adjournment, and ready to receive any Thing the Governor may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay he ſhould To-morrow Morning ſend down to the Houſe the Bills that had been laid before him, with ſome Amendments.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 25. A Petition from *Joſhua Humphreys*, of *Merion*, Miller, was preſented to the Houſe and read, praying, that he may be appointed the Officer for putting the Flour Act in Execution, in Caſe the preſent Officer be removed. *Ordered to lie on the Table.*

A Petition from *Abraham Shelly*, praying Payment of the Balance of his Account for maintaining *Spaniſh* Priſoners, was preſented to the Houſe and read; and ordered to lie on the Table.

The Bill for the more effectual ſuppreſſing profane Curſing and Swearing, was again read and conſidered, and the farther Conſideration thereof was referred to the Afternoon.

The Governor, by his Secretary, ſent down the Bill for amending the Laws relating to the Poor, *&c.* and the Supplementary Bill to the *Act for erecting Work-houſes and Houſes of Correction, &c.* with ſeveral propoſed Amendments, which were read.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Committee to whom the Bill for re-emitting and continuing the Loan of the Bills of Credit, *&c.* was committed, reported the ſame to the Houſe with divers Amendments; and it was read by Paragraphs, and debated, and the farther Conſideration thereof adjourned to To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 26. The Houſe proceeded in the Reading and Conſideration of the Bill for re-emitting and continuing the Loan of our Bills of Credit, *&c.* and having ſpent ſome Time therein, the farther Conſideration thereof was adjourned to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe proceeded in the Reading and Conſideration of the Bill for re-emitting, *&c.* and after ſome Time ſpent therein, the farther Conſideration thereof was adjourned till To-morrow Morning.

Abraham Shelley's Account and Petition was referred to *Joſeph Trotter*, *James Morris* and *Edward Warner*, who are to examine the ſame, and report thereupon to the Houſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th. Mo. 27. The Houſe proceeded in the Reading and Conſideration of the Bill for re-emitting and continuing the Loan of the Bills of Credit, *&c.* and after ſome Time ſpent therein;

Ordered, That the ſame be engroſſed for a third Reading.

The Houſe reſumed the Conſideration of the Bill for the more effectual ſuppreſſing profane Curſing and Swearing; and after ſome Debate thereupon, it was ordered to be engroſſed for a third Reading.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The engroſſed Bill for re-emitting and continuing the Loan of the Bills of Credit of this Province, was read the third time;

Reſolved, That the Bill do paſs.

Ordered, That *Samuel Levis* and *Owen Evans* wait upon the Governor with the ſaid Bill, and deſire his Concurrence thereto.

Reſolved, That the Houſe will To-morrow Morning go upon the Conſideration of the Flour Bill.

The Gentlemen return and report, that they waited upon the Governor and delivered the Bill according to Order, and that the Governor was pleaſed to ſay, he would give it all the Diſpatch he could.

The Bill for regulating the Nightly Watch of the City of *Philadelphia*, was read the ſecond time, and committed to *Iſaac Norris*, *Thomas Leech*, *James Morris*, *Edward Warner*, *Joſeph Trotter* and *Oſwald Peele*.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 28. The Houſe reſumed the Conſideration of the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*; and after ſome Time ſpent therein, the farther Conſideration thereof was adjourned to the Afternoon.

The Committee appointed to examine and conſider the Account and Petition of *Abraham Shelley*, report, that they have done the ſame, and find the Sum of *Twenty-two Pounds Five Shillings* to be due to him; which was agreed to by the Houſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. It being moved that ſundry Perſons are attending the Houſe on the Petition of a Number

Number of the Inhabitants of the upper Parts of *Philadelphia* and *Lancaster* Counties, praying a new County may be laid out, &c. it was 1745. 12th Mo. 28. Post Meridiem.

Resolved, That the House will at their next Sitting take the said Petition into Consideration.

The House proceeded in the Reading and Consideration of the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*; and after divers Amendments,

Ordered, That the Bill be engrossed for a third Reading.

The engrossed Bill for the more effectual suppressing profane Cursing and Swearing was read the third time,

Resolved, That the Bill do pass.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from a Number of Millers was presented to the House and read, setting forth, that the Office for inspecting Flour at *Philadelphia* has for several Years been well executed by *Joseph King*, the deputed Officer, and the Credit of our Flour in the Markets abroad considerably advanced; and therefore praying, that in Case the present Officer be removed, the said Deputy may be appointed in his Place. *Ordered to lie on the Table.* 1745-6. 1st Mo. 1.

The engrossed Bill for erecting a House of Correction and Work-house in the Borough of *Bristol*, &c, was read the third time,

Resolved, That the Bill do pass.

The engrossed Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*, was read the third time,

Resolved, That the Bill do pass.

Ordered, That *Thomas Chandler* and *Richard Mitchell* wait upon the Governor with the three Bills that have last passed the House, and desire his Concurrence thereto.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Bills according to Order; and that the Governor was pleased to say he would give them all the Dispatch he could.

Then the House adjourned to next Second Day at Three o'Clock, *P. M.* Adjournment

The House met, pursuant to their Adjournment. 1st Mo. 3.

The Governor, by his Secretary, sent down the Bill for re-emitting and continuing the Loan of the Bills of Credit, &c. with some proposed Amendments, which were read.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Amendments proposed by the Governor to the re-emitting Bill were considered, and agreed to. 1st Mo. 4.

Ordered, That *Mark Watson* and *Abraham Chapman* wait upon the Governor and acquaint him, that the House have agreed to the said Amendments.

The Gentlemen return and report, that they delivered the Message of the House according to Order.

Ordered, That the said Bill with the Amendments be engrossed.

The House took into Consideration the Amendments proposed by the Governor to the Bill for amending the Laws relating to the Poor, &c. to some of which they agreed, and in others adhered to their Bill.

The House took into Consideration the Amendments proposed by the Governor to the Supplementary Bill to the *Act for erecting Work-houses and Houses of Correction*, &c. and after some Debate, the farther Consideration thereof was adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor sent down the Bill for erecting a House of Correction and Work-house in the Borough of *Bristol*, &c. without any Amendment; and the Bill for the more effectual suppressing of profane Cursing and Swearing, with one proposed Amendment; which was read. Post Meridiem.

The House resumed the Consideration of the Amendments proposed by the Governor to the Supplementary Bill to the *Act for erecting Houses of Correction and Work-houses*, &c. to some of which the House agreed, with some Addition, and in others adhered to their Bill.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor with the Bill for amending the Laws relating to the Poor, and the Supplementary Bill to the *Act for erecting Work-houses*, &c. and acquaint him that the House agree to some of the Amendments proposed by him, and in others adhere to their Bills.

A Petition from *Thomas Edmiston*, of *Lancaster* County, praying Satisfaction for a Colt killed by the *Indians*, was sent down to the House by the Governor, and read. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed Yesternight to carry up the Bills for amending the Laws relating to the Poor, and for the better appointing of Overseers of the Poor within the City of *Philadelphia*; and a Supplement to an Act, entituled, *An Act for erecting Houses* 1st Mo. 5.

1745-6. 1st Mo. 5. *of Correction and Work-houſes in the reſpective Counties*, &c. to the Governor, with the Meſſage of the Houſe, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay he would give them all the Diſpatch he could.

The Governor, by his Secretary, ſent down the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*, with ſome propoſed Amendments; which were read, and conſidered.

Ordered, That *Richard Mitchell* and *Joſeph Harvey* wait upon the Governor with the Supplementary Bill to the *Act for preventing the Exportation of Bread and Flour not merchantable*, and the Bill for the more effectual ſuppreſſing profane Curſing and Swearing, and acquaint him, that the Houſe have agreed to all the Amendments propoſed by him to the Flour Bill, with a farther Amendment to one of them. And that the Houſe deſire his Aſſent to the Bill for ſuppreſſing profane Curſing and Swearing, as it now ſtands, for the Reaſons they have ſubjoined to his propoſed Amendment.

The Gentlemen return and report, that they waited upon the Governor, and delivered him the Bills, with the Meſſage of the Houſe, according to Order, and that the Governor was pleaſed to ſay he would conſider them, and let the Houſe know his Reſult in the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor, by his Secretary, ſent down the Supplementary Bill to the Act, entituled, *An Act for preventing the Exportation of Bread and Flour not merchantable*, and the Supplementary Bill to the Act, entituled, *An Act for erecting Work-houſes and Houſes of Correction in the reſpective Counties*, &c. with his Concurrence to them as they are amended. And alſo the Bill for amending the Laws relating to the Poor, *&c.* and the Bill for ſuppreſſing profane Curſing and Swearing; in both which he adheres to the Amendments he had propoſed.

The Houſe agreed to the Amendment propoſed by the Governor to the Bill for ſuppreſſing profane Curſing and Swearing; and

Adjournment. Then adjourned to Ten o'Clock To-morrow Morning.

1st Mo. 6. *Ordered*, That *Thomas Leech* and *James Morris* wait upon the Governor, and deſire that he would appoint ſome Members of his Council to join a Committee of this Houſe in comparing the engroſſed Bills with thoſe that have paſſed the Houſe with his Concurrence.

Ordered, That the *Indian* Treaty be printed with the Minutes of this Houſe.

Reſolved, That the Houſe will this Afternoon enter into the Conſideration of the Governor's Support.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay he would do what was deſired.

The Houſe reſuming the Conſideration of the Affair of the Dam over *Neſhamineh*,

Ordered, That *Abraham Chapman*, *Mark Watſon*, *Mahlon Kirkbride*, *Richard Mitchell* and *Cephas Child* be a Committee to view the ſaid Dam at *Harvey's* Mill, and report their Opinion, whether any Thing can be done, by Means whereof the Fiſh may be ſuffered to run up the ſaid Creek, without Prejudice to the Mill.

Ordered, That the Owner of the ſaid Mill be ſerved with a Copy of this Order, to the End he may be heard at the next Sitting of the Houſe, if he hath any Thing to object to what the ſaid Committee may agree to propoſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe, agreeable to the Order of the Morning, took into Conſideration the Governor's Support, and after ſome Debate,

Reſolved, That in order to render the Governor's Support equal to what has been uſually given to his Predeceſſors, an Order be drawn on the Treaſurer for the Sum of *One Thouſand Pounds*, payable to him.

Reſolved, That a like Order be drawn on the Truſtees of the Loan Office, for the Sum of *Five Hundred Pounds*, in Part of the current Year's Support.

Ordered, That *Iſaac Norris*, *James Morris* and *Thomas Leech* be a Committee to meet the Members of Council, in order to compare the Bills.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

1st Mo. 7. *Ordered*, That *Mark Watſon* and *George Aſhbridge* wait upon the Governor, and deſire to know at what Time he will be pleaſed to receive the Houſe, in order to the enacting into Laws thoſe Bills that have paſſed the Houſe with his Concurrence.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay he would be ready to receive the Houſe at Four o'Clock this Afternoon.

Reſolved, That the Houſe will this Day adjourn to the Nineteenth of the next Third Month.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Gentlemen appointed to examine the engroſſed Bills with the Committee of Council,

Council, report, that they have done the ſame, and find them to agree with the Copies: But that in one of the Bills, there are ſome Words that are rendered ſuperfluous by one of the Amendments agreed to. 1745-6. 1ſt Mo. 7.

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor, and deſire his Aſſent to the eraſing thoſe Words.

The Orders on the Treaſurer and Truſtees for the Payment of *Fifteen Hundred Pounds* to the Governor being drawn, were ſigned by the Speaker, by Order of the Houſe.

The Gentlemen return and report, that the Governor aſſented to the Eraſement of thoſe ſuperfluous Words.

The Speaker, with the whole Houſe, waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor, with the Bills that had paſſed the Houſe, with his Concurrence, *viz.*

A Bill for the re-emitting and continuing the Loan of the Bills of Credit of this Province. Laws paſſed.

A Bill for amending the ſeveral Acts for electing Members of Aſſembly.

A Bill for the more eaſy and ſpeedy Recovery of ſmall Debts.

A Supplement to an Act, entituled, An Act for erecting Houſes of Correction and Work-houſes in the reſpective Counties; and *to the Act, entituled, An Act to enable* Jeremiah Langhorne, *&c. to build a Court-houſe in the County of* Bucks.

A Bill for erecting a Houſe of Correction and Work-houſe in the Borough of Briſtol, *in the County of* Bucks, *and for raiſing of Money on the Inhabitants of the ſaid Borough, for the Public Uſe and Benefit thereof.*

A Supplementary Bill to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable.

A Bill for the more effectual ſuppreſſing profane Curſing and Swearing.

Which Bills the Governor had been pleaſed to enact into Laws with the uſual Form; and that *James Morris* and *Thomas Leech* were appointed to ſee the Great Seal affixed to the Laws, and depoſite them in the Rolls Office. That he had, in the Name of the whole Houſe, preſented to the Governor the Orders for his Support, which he had kindly received: That the Governor had alſo been acquainted with the propoſed Time of Adjournment, and did not diſapprove of it.

Then the Houſe adjourned to the Nineteenth of the next Third Month. Adjournment

THE Houſe met purſuant to their Adjournment. 3*d Mo.* 19.

Ordered, That *Thomas Leech* and *Oſwald Peele* wait upon the Governor, and acquaint him, that the Houſe is met according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay he would ſend a Meſſage to the Houſe in the Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, with ſome Papers referred to therein, which were read, and the Meſſage follows in theſe Words, *viz.* 3*d. Mo.* 20.

GENTLEMEN,

'YOU will ſee by the Letter and other Papers received from Governor *Clinton* ſince your laſt Meeting, that I am again deſired to appoint Commiſſioners in order to concert Meaſures with thoſe already appointed by him and by Governor *Shirley*, for the Security and Defence of his Majeſty's Colonies during the preſent War; and, that the poſitive Refuſal of the *Six Nations* to join in the War againſt the *French* and the *Indians* in Alliance with them, is urged to ſhew the immediate Neceſſity of ſuch an Appointment. My Anſwer to this Letter was in Subſtance, that I had laid his former Letter on this Subject before you, as I ſhould this at your next Meeting; and I repeated, that you had expreſſed a Readineſs to enter into any reaſonable Meaſures for his Majeſty's Service, and the Welfare of the Colonies; but that you thought it would be time enough to appoint Commiſſioners for this, when you ſhould be made acquainted with the Reſolutions of the neighbouring Governments. I obſerved likewiſe, that thoſe of *Virginia*, *Maryland*, *New-Jerſey* and *Connecticut* were ſtill unknown to us. The Governor's Meſſage.

'As my Sentiments on this Matter have been fully delivered to you already, I ſhall only add, that notwithſtanding the ſeeming Reſolution of the Council of the *Six Nations* to preſerve a Neutrality, it is much to be apprehended that their young Men, who are fond of Military Atchievements, will join the *French Indians* in their barbarous Incurſions upon the *Britiſh* Colonies; and that the old Men, not having Power to reſtrain, will be obliged to wink at them, and perhaps in the End break out into an open Revolt. How fatal ſuch a Procedure will be to this and the *Britiſh* Colonies in general, you will judge; and I truſt that you will not be ſo wanting to yourſelves, as not to take the moſt reaſonable Meaſures to prevent it.

May 20, 1746. *GEORGE THOMAS.*"

Ordered,

1745-6. 3d Mo. 20. *Ordered*, That the Governor's Meſſage be again read, and conſidered in the Afternoon.

The Committee appointed at the laſt Meeting of the Houſe, to view the Dam at *Harvey's* Mill on *Neſhamineh* Creek, made their Report in Writing; which was read, and follows in theſe Words, *viz.*

Report of the Committee for viewing the Dam at *Harvey's* Mill, on *Neſhamineh* Creek.

WE, the Committee appointed by Order of Aſſembly, the 6th of the Firſt Month, 1745-6, to view the Dam over *Neſhamineh* Creek, at *Harvey's* Mill,

Do report, That we have viewed the ſaid Dam, and the upper Part of the Pond, but cannot find that the Water can be taken out of the Creek without a Dam, the Creek lying a great Way level, and a ſtony Bank ſo deſcending into the Water, that a Race cannot be made without great Coſt.

But it is our Opinion, that without any great Charge, a Point of a Hill at the South End of the ſaid Dam may be made lower than the Dam for a conſiderable Space, and the Stones and Gravel taken therefrom may be placed on the lower Side in a gradual Deſcent, whereby the waſte Water that generally runs over the whole Length of the Dam, would be gathered more in a Body in that waſte Place, and deſcend gradually, ſo that therein the Fiſh may be able to aſcend into the Pond above the Dam; by which the Water in the Dam will not be made much lower, nor will there be any Danger of that waſte Place wearing any deeper, it being the Point of a ſtony Hill or Rock, nor will the Mill be injured thereby.

Submitted to the Houſe, by

ABRAHAM CHAPMAN,
MARK WATSON,
MAHLON KIRKBRIDE,
RICHARD MITCHELL,
CEPHAS CHILD."

Adjournment

Then the Houſe adjourned to Three o'Clock in the Afternoon.

Poſt Meridiem.

The Governor's Meſſage was again read, and conſidered.

Ordered, That *Iſrael Pemberton*, *Robert Jones*, *Abraham Chapman*, *Samuel Levis* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the ſame; and report it to the Houſe.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

3d Mo. 21.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read, and conſidered, and ordered to be tranſcribed, that it may be ſent up to the Governor.

And the Meſſage being tranſcribed, follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Anſwer to the Governor's Meſſage.

WE look upon it as a Matter of great Importance to this and the neighbouring Governments, that the moſt effectual Meaſures be taken, as often as it becomes neceſſary, to ſecure the *Six United Nations*, and the *Indians* in Alliance with them, in their Fidelity to the Crown of *Great Britain*; and to cultivate and maintain that Friendſhip and good Underſtanding which hath ſo long ſubſiſted between us and them. To this End, as the Governor well knows, this Province hath at many Times been at great Expence, as well in Preſents made to thoſe *Indians*, as for carrying on of Treaties with them, ſometimes in Conjunction with other Colonies, ſometimes ſeparately: At all which Treaties, and particularly thoſe lately held, the *Indians* have conſtantly declared themſelves ſteady, unalterable, and determined to continue their ancient Amity with this and the neighbouring Governments; and therefore, we hope, that though they may have refuſed to join in the preſent War againſt the *French* and their *Indians*, they will nevertheleſs remain firm in their Friendſhip to us, and other the *Britiſh* Colonies. However, as the Governor, and the Governor of *New-York*, ſeem to apprehend the Danger of their Revolt, and the Neceſſity of appointing of Commiſſioners from the ſeveral Governments, we continue our former Reſolutions, that if ſuch Commiſſioners ſhall be thought neceſſary, either for ſecuring the *Indians* in the *Britiſh* Intereſt, or for any other Purpoſes which ſhall appear to us to be for the general Good, we ſhall chearfully concur in it. But ſince, as the Governor is pleaſed to obſerve in his Meſſage, the Sentiments of moſt of the other Colonies are unknown to us, and it is uncertain whether they will accede to ſuch Appointments or not: And, as it does not appear to us, that a Meeting of Commiſſioners for *New-York*, the *Maſſachuſetts* and *Pennſylvania* only, would be of any great Service; therefore, as formerly, we think it beſt to poſtpone our particular Reſolutions in the Affair, until the Determination of the other Colonies are made known to us."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Joſeph Trotter* and *Edward Warner* wait upon the Governor with the ſaid Meſſage, and acquaint him withal, that the Houſe is inclined to adjourn this Day to the Eighteenth of the next Sixth Month, if he hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay he had no Objection to the Adjournment intended.

Ordered,

Ordered, That the Superintendents of the State-House take Care to prevent, as far as lies in their Power, any Encroachments on the Street oppoſite thereto. 1746.

Ordered, That the Affair of the Dam over *Neſhamineh* be referred to the next Sitting of the Houſe; and that the Clerk ſerve the Owner of the Mill with a Copy of this Order, and of the Report of the Committee, that if he hath any Objection to the Method by them propoſed, he may attend at that Time and be heard. 3d Mo. 21.

Then the Houſe adjourned to the Eighteenth Day of the next Sixth Month. Adjournment

THE Governor having by his Writs directed the Sheriffs to ſummon the Repreſentatives of their reſpective Counties to meet him this Day in Aſſembly; they were ſummoned, and the Houſe is met accordingly. 4th Mo. 9.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the Houſe is met purſuant to his Summons, and ready to receive what he may have to lay before them, and deſire a Copy of the Writs by Virtue of which the Houſe was ſummoned.

The Gentlemen return and report, that they waited upon the Governor and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay he would ſend a Meſſage to the Houſe To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, ſent down the Writs by Virtue of which the Houſe was ſummoned, with a written Meſſage to the Houſe, and a Letter from the Duke of *Newcaſtle* referred to therein; which were read, and the Meſſage follows in theſe Words, *viz.* 4th Mo. 10.

GENTLEMEN,

'MY calling you together ſo ſuddenly was occaſioned by a Letter I have received 'from his Grace the Duke of *Newcaſtle*, by the *Hinchinbrook* Sloop of War ar- 'rived Expreſs at *Boſton*, ſignifying to me, that his Majeſty has been pleaſed to order 'a conſiderable Body of his Troops from *England*, under Convoy of a ſufficient Squadron 'of Men of War, to *Louiſburgh*, to be employed in the immediate Reduction of *Canada*, 'in Concert with Troops to be raiſed in the Northern Colonies.

'You will obſerve from his Grace's Letter, which I have ordered to be laid before 'you, that I am directed to recommend to you the providing a ſufficient Quantity of 'Proviſions for the Subſiſtence of the Troops which ſhall be raiſed here.

'As it is recommended to me likewiſe, to take Care that the Soldiers may be pro- 'vided with Arms and Cloathing, I muſt apply to you for an Advance of ſo much of 'the Public Money as may be neceſſary for theſe Purpoſes; which Expence Lieute- 'nant General *St. Clair* is authorized and impowered to defray.

'The Shortneſs of the Time requiring the utmoſt Diſpatch, a Bounty for the En- 'couragement of able bodied Men to engage in this Service, will very much expedite 'the Levies.

'Until I ſee what Number of Men can be raiſed, it is not poſſible for me to make 'an Eſtimate of the Sum neceſſary for this Service; but if I may be allowed to form 'a Judgment from the Importance of the Undertaking to this and the reſt of the 'Northern Colonies, the Number will be very conſiderable; for Succeſs in it will not only 'deliver them from their preſent Apprehenſions of a vigilant and enterprizing Enemy, 'but in all human Probability enſure Quiet and Security to them and their Poſterity.— 'And this ſhews what Returns of Duty and Gratitude are due to a King who has medi- 'tated ſuch Bleſſings to his *North American* Subjects.—

June 10, 1746. *GEORGE THOMAS.*"

The Conſideration of the Governor's Meſſage was referred to the Afternoon.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Governor's Meſſage, with the Duke of *Newcaſtle's* Letter, were again read, and conſidered, and the farther Conſideration thereof adjourned to To-morrow Morning. *Poſt Meridiem.*

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Meſſage, with the Letter referred to therein, were again read, and conſidered, and the farther Conſideration thereof was referred to the Afternoon. 4th Mo. 11.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe reſumed the Conſideration of the Governor's Meſſage, and the Duke of *Newcaſtle's* Letter, and after ſome Debate thereupon, *Poſt Meridiem.*

Ordered, That *Thomas Leech*, *Iſrael Pemberton*, *John Hall*, *Samuel Levis* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſage, and report the ſame to the Houſe.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, 4th. Mo. 12.

1746. Meſſage, reported the ſame to the Houſe, and it was read by Order, and ordered to be tranſcribed, that it may be ſent up to the Governor in the Afternoon.

4th Mo. 12. Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Meſſage to the Governor being tranſcribed, was read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Anſwer to the Governor's Meſſage. WE are deeply ſenſible of the many and great Bleſſings we enjoy under the Crown, and preſent Government; and in Duty and Gratitude hold ourſelves obliged to yield chearful Obedience to the King's Commands, ſo far as our Religious Perſuaſions permit: Yet, as the Governor well knows, many of us labour under great Difficulties when called upon to be concerned in warlike Enterprizes, ſuch as appear to us inconſiſtent with the peaceable Principles we profeſs. The only Expedient hitherto found to remove theſe Difficulties, hath been, to demonſtrate our Loyalty and hearty Affection to the Crown, by giving a Sum of Money to the King's Uſe. This we are now willing to do; but on Enquiry, are informed, that neither the Treaſury or Loan Office are furniſhed with ſuch a Quantity, beyond what other Exigencies of Government will require, as we are willing to give: Nor do we ſee any other Way by which ſuch a Sum can be ſpeedily raiſed, unleſs it be by ſtriking a further Quantity of Paper Money: And this we hope the Governor will be of Opinion with us may ſo be done, as that the Sum given may be repaid by the Intereſt to ariſe by the Reſidue placed out in like Manner, as are the Bills of Credit current by the Act ſome Time ſince paſt in this Province; and which having had the Royal Approbation, will, we preſume, be liable to few, if any Exceptions; and the Money thus raiſed, leaſt inconvenient to the Inhabitants of the Province.

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Abraham Chapman* and *Owen Evans* wait upon the Governor, and deliver him the ſame.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Meſſage of the Houſe according to Order.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

4th Mo. 13. The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. ‘I AM very much pleaſed with your Intention to grant a Sum of Money to his Majeſty upon this important Occaſion, and I wiſh it was as much in my Power, as it ‘is in my Inclination, to agree with you in the Method propoſed for raiſing it; but you ‘muſt be ſenſible, from the Royal Inſtruction communicated to a former Aſſembly, and, ‘I ſuppoſe, entered in the Minutes, that I am forbid under Pain of his Majeſty's higheſt ‘Diſpleaſure, from paſſing any Act for ſtriking Bills of Credit, without a Clauſe re‘ſtraining its Operation until the King's Pleaſure ſhall be known. Beſides, an Addition ‘to your Bills of Credit at this Time, I apprehend, would very much leſſen the Value ‘of thoſe already current, as Exchange to *London* is already higher than has ever been ‘known in this Province. I grant, were I at Liberty to paſs ſuch a Bill as you expect, ‘it might be a preſent Convenience, but the future Inconveniences would abundantly ‘outweigh it. The Legiſlature of this Province has hitherto maintained its Reputation ‘in this Point, whilſt others are ſinking under the Load of their numerous Emiſſions. ‘You may unqueſtionably procure any Sum upon Loan, which you ſhall be willing to ‘grant to his Majeſty, upon Security to repay it out of the Exciſe, or the Intereſt of the ‘Bills of Credit already iſſued.

‘What ever you do, Gentlemen, let it be done with Diſpatch, for the Time preſſes, ‘and your Example will have a very conſiderable Influence upon the Spirits of the ‘People.

June 13, 1746. *GEORGE THOMAS.*”

The Conſideration of the Governor's Meſſage was referred to the Afternoon.

A Petition from ſundry Inhabitants of the City of *Philadelphia*, ſetting forth the great Inconveniences People labour under in their Dealings for want of ſmall Change; and praying, that there may be an Emiſſion of ſmall Bills to remove thoſe Inconveniences; was preſented to the Houſe and read, and ordered to lie on the Table.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor's Meſſage was again read, and conſidered, and after ſome Debate thereupon,

Ordered, That *Thomas Leech*, *Oſwald Peele*, *John Hall*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Anſwer thereto, and that they report the ſame to the Houſe To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House; and it was read, and approved; and ordered to be transcribed; which being done, it was again read, and follows in these Words, *viz.* 1746. 4th Mo. 14.

May it please the GOVERNOR,

IT is very agreeable to us to find our Intentions of giving Money to the King, approved of by the Governor: And we are equally pleased with the kind Inclinations he is pleased to express towards raising the Money in the Method we propose: And we are willing to hope that the Governor, on re-considering the Royal Instruction he is pleased to mention, may think himself at Liberty to give his Assent to a Bill for striking a further Sum of Money in Bills of Credit, when any extraordinary Emergency requires it. The Assembly's Answer to the Governor's Message.

It must be confessed, Exchange hath of late risen amongst us, and is at present high; but we think it clear this Rise is not owing to the Quantity of our Paper Money, but the Exigencies of Trade; since for some Time after the Emission by the last *Eighty Thousand Pound* Act, which is the greatest Sum in Bills of Credit that were ever current at one Time amongst us, Exchange was lower than at any Time before. As therefore the Sum proposed to be emitted, is not so great as can either affect the Credit of former Bills, or raise Exchange, will not only be a present Convenience, but of future Benefit to the Province, we hope the Governor will think it consistent with the Trust reposed in him, to assent to the Method proposed; especially as the Sums of Money which have lately been given to the King's Use, and the contingent Charges of Government, have amounted so high, as neither the Money raised by the Excise Act, nor the Interest of Bills of Credit paid into the Loan Office, have been sufficient to defray; nor does any Method appear to us by which the Money now intended to be given to the King's Use can be raised, but what will be more chargeable, as well as inconvenient."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Thomas Leech*, *Edward Warner*, *John Hall* and *Oswald Peele* wait upon the Governor, and deliver the same.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he would send an Answer in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

The Governor, by his Secretary, sent down the following Message to the House in Writing; which was read, *viz.*

GENTLEMEN,

'I REALLY do not want Inclination to oblige you in every Thing you can reasonably desire; and therefore the Mortification to me is the greater, to be pressed upon a Point which I am not at Liberty to comply with. The King's Instruction, founded upon the Addresses of the Houses of Lords and Commons, is so positive, that I cannot bring myself to such a Pitch of Boldness as to contravene it. Arguments are not wanting to shew the Mischiefs like to accrue from an Addition to your Paper Currency; but I would give up my own Reason to you upon this pressing Occasion, were that only in the Way. Upon a due Consideration of my being thus circumstanced, I promise myself that you will proceed to some less exceptionable Method of raising the Sum designed to be granted for the King's Use. The Governor's Message.

June 14, 1746. *GEORGE THOMAS.*"

Resolved, That the Sum of *Five Thousand Pounds* in Bills of Credit of this Province be, and hereby is given to the Honourable GEORGE THOMAS, Esq; Lieutenant Governor of this Province, *&c.* for the Use of the King.

Resolved, That the said Sum of *Five Thousand Pounds* be paid to the said GEORGE THOMAS, Esq; by the Trustees of the General Loan Office of this Province, out of the Bills of Credit now remaining in their Hands, by Virtue of former Acts of Assembly, for exchanging torn and ragged Bills.

Resolved, That Bills of Credit of the Value of *Five Thousand Pounds* be forthwith printed, and emitted, under the Care of the Trustees aforesaid, to replace in their Hands instead of the Bills by them so to be paid as aforesaid, to be sunk in yearly Quotas of *Five Hundred Pounds* per Annum, out of the Excise.

Resolved, That the Excise Act now in Force, be continued for the Space of Ten Years.

Resolved, That *Thomas Leech*, *James Morris*, *John Wright* and *James Mitchell* be a Committee to prepare and bring in a Bill for the Purposes aforesaid.

Then the House adjourned to next Fourth Day, at Three o'Clock, *P. M.* Adjournment

The House met, pursuant to their Adjournment. 4th Mo. 18.

A Bill for granting *Five Thousand Pounds* to the King's Use, *&c.* was read the first time, and ordered a second Reading. *Post Meridiem.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The

1746. The Bill for granting *Five Thouſand Pounds* to the King's Uſe, *&c.* was read a ſecond time, and ordered to be engroſſed for a third Reading.

4th Mo. 19. Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, with ſeveral Letters and Papers referred to therein, which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. 'AS the Neceſſity of ſecuring the *Indians* of the *Six Nations* in their Fidelity to his 'Majeſty, becomes every Day more preſſing and apparent; and I am again ſolicited 'by the Governors of *New-England* and *New-York*, whoſe Letters I have ordered to be 'laid before you, to appoint Commiſſioners for that Purpoſe, I muſt renew my Appli-'cation to you, to enable me to co-operate with the four Northern Governments at the 'Treaty to be held with thoſe Nations on the Twentieth of the next Month, at *Albany*. 'And ſince this is a Meaſure immediately recommended by his Majeſty to the Governor 'of *New-York*, to facilitate the Reduction of *Canada*, it is not to be doubted but the 'two Southern Governments will readily accede to it.

'Since I heard of the Reſolve of your Houſe to grant *Five Thouſand Pounds* for the 'King's Uſe, we have been informed from the public News Papers of the Bounty given 'in ſome other Colonies to encourage able bodied Men to engage in the Service. As 'the like Bounty will be expected here, the Sum voted will not be ſufficient to raiſe and 'victual above three Companies, which will fall very ſhort of the general Expectation, 'from a Colony of ſo much Importance. Let me therefore recommend ſuch an Ad-'dition as may very well comport with the Circumſtances of the Province, and be 'a Proof of your at leaſt equalling your Neighbours, in Duty to his Majeſty, and Zeal 'for the common Intereſt.

June 19, 1746. *GEORGE THOMAS.*"

The Conſideration of the Governor's Meſſage was adjourned to To-morrow Morning.

Adjournment *4th Mo.* 20. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Governor's Meſſage, with the Papers referred to therein, were again read, and conſidered,

Ordered, That *Thomas Leech*, *Oſwald Peele*, *John Hall*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the latter Part of the ſaid Meſſage, and report the ſame to the Houſe.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Anſwer to Part of the Governor's Meſſage of the Morning, reported the ſame to the Houſe, and it was read and approved, and ordered to be tranſcribed; which being done, it was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Anſwer to the Governor's Meſſage. THE Funds by which this Government is ſupported, and the contingent Charges defrayed, are the Intereſt which ariſes from the Bills of Credit lent out, and the Money paid into the Treaſury by the Exciſe Act; both theſe the laſt Year proved deficient; ſo that the Balance againſt the Province, excluſive of Out-ſtandings, was upwards of *Two Thouſand Pounds*, beſides the like Sum due from the Province on account of the State-houſe: And as the Governor ſeems to be under Difficulties with reſpect to further Emiſſions of Bills of Credit; and as an additional Tax would, we conceive, be attended with many Inconveniences, we therefore reſolved on the Payment of *Five Thouſand Pounds* only, to the King's Uſe: If the Sum to be given, muſt ariſe from the preſent Funds, we do not think it will be fit to add much, if any Thing, to the Sum reſolved on. But if the Governor can think himſelf at Liberty to add a fitting Quantity in Bills of Credit to be emitted amongſt us as uſual, in like Manner as we are informed and believe our Neighbours muſt do, we think it will redound greatly to the Advantage of the Province, be attended with no Inconveniences, and will enable us on the preſent and future Occaſions, to give the Proof the Governor is pleaſed to mention, of having at leaſt equal "Duty to his Majeſty," though we may have different Modes of expreſſing it from our Neighbours. We wait the Governor's Reſult on this Head, before we proceed on the Bill before us; and, in the mean Time, ſhall take into Conſideration the Reſidue of his laſt Meſſage."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Thomas Leech* and *Edward Warner* carry up the ſame to the Governor.

Ordered, That *Thomas Leech*, *Oſwald Peele*, *John Hall*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the other Part of the Governors Meſſage, and report the ſame to the Houſe To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Meſſage of the Houſe,

House, being returned, report that they delivered the same according to Order, and that the Governor was pleased to say he would send an Answer in the Morning. 1746.

Then the House adjourned to Nine o'Clock To-morrow Morning. 4th Mo. 20. Adjournment

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.* 4th Mo. 21.

GENTLEMEN,

'IF I could think myself at Liberty to consent to an Act for Striking Bills of Credit in the Manner you propose, the Occasion, as well as my Inclination to render a Grant to his Majesty as little burthensome as possible to the People, would soon determine me in Favour of it, though I cannot but think the present Convenience would be bought too dear; for it is as plain to me, that an Addition to your Currency, to be lent out for a Term of Years upon Interest, would lessen the Value of the Bills already issued, and consequently affect all Contracts now subsisting, as any the most selfevident Proposition. I have not been well informed of what is done, or intended to be done in other Colonies as to this Point; neither would it become me to censure the Conduct of their Governors, should they act a Part different from me. The Circumstances of those Colonies, and their Method of Sinking their Bills of Credit, may be different from this. If I am rightly informed, it has been done at *New-York* by Taxes; and that in *Jersey* so great a Part of their Currency has been sunk, that a new Emission would be no Advance upon what has been usually current there; whereas your's is entire, and to be re-emitted upon Loan for several Years to come. If you will agree to sink any Addition you shall make to the *Five Thousand Pounds* already voted, by a Tax to be levied in any reasonable Time, I will give my Assent to an Act for Striking Bills of Credit for that Sum; and surely, a People who have not paid a Provincial Tax for above Twenty Years past, cannot be uneasy under it, in a Case which so immediately concerns their own Happiness and that of their Posterity. Should you resolve, notwithstanding, to confine yourselves to *Five Thousand Pounds*, which, as I before told you, will not raise and victual above three Companies, even supposing the Men are to subsist upon the King's Pay during their Stay in this Province, I must be obliged to call upon you for an Advance of so much Money as will be necessary to cloath and arm them, in Case General *St. Clair* should not arrive in Time to furnish me with Bills for that Purpose. My own Stock has been already advanced for the King's Service, in purchasing Cloathing for the Troops in Garrison at *Cape Breton*, and for raising the Regiment under the Command of Governor *Shirley*.—— Considering how the Time presses, abundantly too much of it has been already spent; I beseech you therefore to give all the Dispatch possible to this important Business, that I may be enabled so far to answer the King's Expectation as relates to myself.

June 21, 1746. *GEORGE THOMAS.*" The Governor's Message.

The engrossed Bill for granting the Sum of *Five Thousand Pounds* to the King's Use, *&c.* was read a third time;

Resolved, That the Bill do pass.

Ordered, That *James Morris* and *Thomas Cummings* carry up the Bill to the Governor, and desire his Concurrence.

The Gentlemen return and report, that they delivered the Bill to the Governor according to Order, and that he was pleased to say he would give it all the Dispatch he could.

Then the House adjourned to next Second Day at Three o'Clock, *P. M.* Adjournment

The House met, pursuant to their Adjournment. 4th Mo. 23.

The Governor, by his Secretary, sent down the Bill for granting *Five Thousand Pounds* to the King's Use, *&c.* with some proposed Amendments, which were read, and considered; and to some of them the House agreed, in others adhered to their Bill.

Ordered, That *James Morris* and *Joseph Trotter* carry up the Bill, with the Amendments, to the Governor, and desire his Concurrence to it as it now stands.

The Gentlemen return and report, that they waited on the Governor, and delivered the Bill with the Amendments, according to Order; and that the Governor, after Consideration, agreed to wave all his proposed Amendments, except the first.

A Supplementary Bill to *the Act for imposing a Duty on Persons convicted of heinous Crimes*, &c. was brought in by a Member with the Leave of the House, and read the first time, and ordered a second Reading.

An Account from *Conrad Weiser*, of his Expences and Services in Public Affairs, being presented to the House and read, was referred to the Committee of Public Accounts, with *Thomas Leech* added to them.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

The House taking into Consideration the Governor's first proposed Amendment to the Bill for granting *Five Thousand Pounds* to the King's Use, *&c.* agreed thereto. 4th Mo. 24.

1746. 4th Mo. 24. The Supplementary Bill to *the Act for impoſing a Duty on Perſons convicted of heinous Crimes*, &c. was read a ſecond time, and ordered to be engroſſed.

A Petition from *Joſeph Pritchard*, of the City of *Philadelphia*, was preſented to the Houſe and read, praying, that he may be appointed the Officer for executing the Act impoſing a Duty on Perſons convicted of heinous Crimes, *&c.*

Ordered to lie on the Table.

A Petition from *William Hill*, of the City of *Philadelphia*, praying to be appointed the Officer for executing the ſaid Act, was preſented to the Houſe and read.

Ordered to lie on the Table.

The Supplementary Bill to the Act for impoſing a Duty, *&c.* was read a third time.

Reſolved, That *Joſeph Pritchard* be the Officer for executing the Act for impoſing a Duty, *&c.* and his Name was inſerted in the Supplementary Bill accordingly.

Reſolved, That the Bill do paſs.

Ordered, That *Benjamin Field* and *Cephas Child* wait upon the Governor with the ſaid Bill, and deſire his Concurrence thereto; And withal acquaint him that the Bill for granting *Five Thouſand Pounds* to the King's Uſe, *&c.* is engroſſed with his firſt Amendment; and deſire him to appoint ſome Member of his Council to join with a Committee of the Houſe, in comparing it with the Original.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Bill according to Order, and that the Governor was pleaſed to ſay he would ſend the Secretary, at Three in the Afternoon, to join with a Member of the Houſe, in comparing the *Five Thouſand Pound* Bill; and hoped that by Five he ſhould be ready to paſs it, together with the Bill now laid before him; which he concurred with, and returned to the Houſe without any Amendment.

Ordered, That *Thomas Leech* and *James Morris* be a Committee for comparing the engroſſed Bill, with that which had paſſed the Houſe.

The Committee to whom the Account of *Conrad Weiſer* was referred, reported, that they had examined the ſame, and were of Opinion, that the Sum of *Sixty-five Pounds* be allowed him, in Diſcharge thereof; and the ſame being agreed to, an Order was drawn on the Treaſurer for the Payment of that Sum, and ſigned by the Speaker, by Order of the Houſe.

The Committee appointed to prepare a Draught of an Anſwer to that Part of the Governor's Meſſage, which related to the *Indians*, reported the ſame to the Houſe, and it was read, and referred to further Conſideration in the Afternoon.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Anſwer to the Governor's Meſſage was again read, and after ſome Amendments, ordered to be tranſcribed;

Which being done, it was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Anſwer to the Governor's Meſſage. SINCE our laſt Meſſage we have taken into our Conſideration that Part of the Governor's which relates to the *Indians* of the *Six Nations*; and alſo the Letters which the Governor was pleaſed to direct to be laid before us: And by what we gather from thence, the Treaty propoſed to be held at *Albany*, on the Twentieth of next Month, is in Purſuance of ſome Inſtructions the Governor of *New-York* hath received from the Crown, which concern himſelf only, and not the Governors of any other of the Colonies.

It is not improbable, the Purport of theſe Inſtructions is to engage the *Indians* of the *Six Nations* in the War againſt the *French*, and to join in the Expedition againſt *Canada:* If ſo, our uniting with the other Governments, in the Congreſs propoſed, will be of little Uſe, ſince it cannot be doubted, but that Proviſion is made to defray the Expence which ſhall ariſe thereby; and that theſe *Indians* will pay greater Regard to the Directions of the Crown, than to the joint Requeſt of all the Colonies. Beſides, the Governor muſt be ſenſible, that Men of our peaceable Principles, cannot, conſiſtently therewith, join in perſuading the *Indians* to engage in the War. If it be thought there be any real Danger of the *Indians* deſerting the *Britiſh* Intereſt, and going over to the *French*, and that, to preſerve them ſteady in their Friendſhip, further Preſents are neceſſary to ſecure them in their Fidelity to the Crown of *Great-Britain*, and Amity with the Inhabitants of this and the neighbouring Colonies, and the Governor can think his Health and Buſineſs will permit his negotiating this Affair in Perſon, we ſhall be willing to pay the Expence to ariſe by it."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Francis Yarnal* and *George Aſhbridge* carry up the ſame to the Governor, and deſire to know when he will be pleaſed to receive the Houſe, in order to the paſſing into Laws thoſe Bills that have had his Concurrence.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay he was now ready to receive the Houſe.

Then

Then the Speaker, with the whole House, went to wait on the Governor: 1746.

And being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor, and that he had been pleased to give his Assent to the Bills which had been presented to him for that Purpose, by enacting them into Laws with the usual Form, *viz.* *4th Mo.* 24.

A Bill *for granting* Five Thousand Pounds *to the King's Use, out of the Bills of Credit now remaining in the Hands of the Trustees of the General Loan Office, for exchanging torn and ragged Bills; and for Striking the like Sum, to replace in their Hands.* Laws passed.

A Supplement *to the Act, entituled, An Act for imposing a Duty on Persons convicted of heinous Crimes*, &c.

That *Thomas Leech* and *James Morris* were appointed to see the Great Seal affixed to them; and that they be deposited in the Rolls Office. That the Governor being also informed of the Inclination of the House to adjourn to the Time of their former Adjournment, was pleased to make no Objection thereto.

Then the House adjourned to the Eighteenth Day of the next Sixth Month. Adjournment

THE House met, pursuant to their Adjournment. *6th Mo.* 18.

Ordered, That *Joseph Trotter* and *Oswald Peele* wait upon the Governor, and acquaint him, that the House is met, according to their Adjournment, and ready to receive any Thing he may have to lay before them.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say he had nothing to lay before the House at present.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Ordered, That *Israel Pemberton*, *Joseph Trotter*, *Mahlon Kirkbride*, *George Ashbridge* and *Arthur Patterson* be a Committee to settle the Accounts of the Incidental Charges for the current Year. *6th Mo.* 19.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Several Accounts and Charges against the Public, were considered, and allowed; and *6th Mo.* 20.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to audit and settle the Accounts of the Loan Office, and other Public Accounts, made their Report in Writing; which was read, and ordered to lie on the Table, for the Perusal of the Members. *6th Mo.* 21.

Ordered, That *Thomas Leech*, *Oswald Peele*, *John Watson*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Address to the King, on the Defeat of the Rebels in *Scotland*.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.* *6th Mo.* 22.

GENTLEMEN,

'THE Money granted at your last Meeting for the King's Use, has, and will be applied by me agreeable to his Majesty's Intentions, and the Directions of General *Gooch*, in raising four Companies of Men, for an Expedition against *Canada*; and in providing Tents, Provisions and other Necessaries for them, as you will see by a Sketch of the Accounts which I have ordered to be laid before you.—After the Bounty, Freight of the Provisions, Carriages for the Soldiers Baggage, and the Expence of their Transportation from *Brunswick* to *Albany*, are discharged, the Account shall be closed and submitted, with Vouchers for every Article, to the Examination of your House. The Governor's Message.

'The Cloathing, Arms and Accoutrements have been procured upon my own Credit, in Expectation of being speedily enabled to pay for them by Remittances from Lieutenant-General *St. Clair*; but as we have yet no Account of his Arrival at *Louisburgh*, and some of the Persons who supplied me with them, grow importunate for their Money, I am obliged to renew my Application to you for a Loan to his Majesty of so much as will be necessary for this Service.—

'But the Difficulty I labour under, with regard to the Subsistence of the Men, is still greater, as they have received no Pay, and are run into an Arrear to the Public Housekeepers for their Quarters from the Time of their Inlistment; and if they have not some Supply soon, it is to be feared they will mutiny or desert; so that the greatest Part of what has been granted by the Assembly, and provided by the King's Orders, will be lost.—In some other Provinces the Soldiers have been allowed *Nine-pence* per *Diem*, or their Victuals, besides the Pay they are to receive from the King; which has preserved the Governors there, and the Officers of those Troops, from the Embarrasments we find ourselves under here, from the Delay of General *St. Clair's* Arrival. The Subsistence of the private Men, exclusive of Officers, amounts to *One Hundred* and *Forty Pounds* per Week, which is too large a Sum to be furnished out of my own private Stock.

'After

1746. 6th Mo. 22.

'After this plain State of the Caſe, I hope I need not be at much Pains to convince 'you of the Neceſſity of ſupplying me with the Sums requiſite, as well for diſcharging 'the Arrears due for the Subſiſtence of the Troops, as for ſupporting them until the 'Fleet ſhall arrive, or proper Directions be given by the King for paying them: And 'I promiſe myſelf the more ready Compliance from you, as it will not be laying any 'additional Burden upon the Province, his Majeſty having engaged both to defray the 'Expence of Cloathing and Arms, and to allow the Men Pay from the Time of their 'Inliſtment: And you may aſſuredly depend, that when Remittances ſhall be made to 'me for theſe Purpoſes, they ſhall be punctually paid into ſuch Hands as your Houſe 'ſhall appoint to receive them.

'The Exactions of the Public Houſekeepers for the Soldiers Quarters, oblige me to 'recommend the preparing a Bill, either to impower the Juſtices to billet them at ſuch 'a Price as they ſhall think reaſonable, or to ſettle it yourſelves in the Bill. *Twelve-* 'pence per Day, which is now demanded, is more than is allowed by the King for 'a Soldier's Subſiſtence, that being but *Six-pence* Sterling, and is twice as much as is 'paid in *England*, though Proviſions are ſaid to be much cheaper here. This, I am 'ſenſible, is a Matter quite new to you; but the Circumſtances of the Times will ne- 'ceſſarily require many Things which the wiſeſt Forecaſt cannot provide for.

Auguſt 22, 1746. *GEORGE THOMAS.*"

The Conſideration of the Governor's Meſſage was referred to the Afternoon.

Thomas Edmiſton's Petition was again read, and conſidered; and ſufficient Reaſon not appearing to the Houſe for making the Allowance deſired, the Petition was diſmiſſed.

The Committee appointed to prepare a Draught of an Addreſs to the King, reported the ſame to the Houſe; and it was read, and referred to further Conſideration in the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor's Meſſage was again read, and conſidered; and the farther Conſideration thereof adjourned to To-morrow Morning.

The Addreſs to the King was again read, and conſidered; and ordered to be engroſſed.

Ordered, That the Affair of the Dam over *Neſhamineh* Creek be referred to the Conſideration of the next Aſſembly.

Adjournment. Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

6th Mo. 23. The Governor's Meſſage was again read, and conſidered,

Ordered, That *Iſrael Pemberton*, *Robert Jones*, *Mark Watſon*, *Thomas Cummings* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the ſame, and report it to the Houſe.

The Addreſs to the King being engroſſed, was read, and ſigned by the Speaker, by Order of the Houſe.

Ordered, That the Committee of Correſpondence tranſmit it to the Agent, that it may be preſented to the King; and that they ſend Duplicates of it by different Conveyances.

Reſolved, That the Sum of *Five Hundred Pounds* be allowed and paid to the Honourable GEORGE THOMAS, Eſq; Governor of this Province, as the Remainder of his Support for the current Year.

It being moved, that the Members who live at a Diſtance be allowed Mileage for ſix times coming to the Aſſembly this Year; the Queſtion was put, and paſſed in the Negative.

Reſolved, That Mileage be allowed for that Meeting of the Houſe which was by the Governor's Call.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. A Petition from *James Read*, Clerk of the Supreme Court, and of the Court of Oyer and Terminer, was preſented to the Houſe, and read, ſetting forth, that, by Direction of the Judges, he had, at the Court of Oyer and Terminer, and General Goal Delivery in *Lancaſter* County, the Attorney General not being preſent, prepared Bills to lay before the Grand Jury, and proſecuted ſuch of them as were returned *Billa vera*, according to the beſt of his Skill and Ability; and as ſome of the Perſons proſecuted were not able to pay the uſual Fees, he prays the Houſe would allow him ſuch Reward for his Service, as to them ſhall ſeem meet.

The Houſe taking into Conſideration the Prayer of the ſaid Petition, and being informed by the Speaker, that the Juſtices of the Supreme Court were neceſſitated to make an Appointment of the Petitioner to proſecute the Pleas of the Crown at the Court of Oyer and Terminer mentioned in the ſaid Petition, the Attorney General refuſing to attend and do the Service, do therefore allow the Petitioner for his ſaid Service *Ten Pounds*. And are of Opinion, that in Caſe the Attorney General do for the future decline the Diſcharge of his Duty, and thereby render it neceſſary to make an Appointment of a Perſon to proſecute the Pleas of the Crown, the Allowance to be made for that Service be deducted out of the Allowance to be made the Attorney General.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read, and approved, and ordered to be tranſcribed;

transcribed. Which being done, it was again read, and follows in these Words, *viz.* 1746. 6th Mo. 23.

May it please the GOVERNOR,

The Assembly's Answer to the Governor's Message.

WE entertained no Doubts but that the *Five Thousand Pounds* given for the King's Use the last Session of Assembly, would be applied agreeable to such Instructions as the Governor should receive to that Purpose; and therefore we neither expected nor desired any Account thereof to be laid before us. Since that Donation, the Public Accounts of the Province have been settled, by which it appears our Treasury is low; that there remains a Sum too small to pay the usual and necessary Charges of Government; and that the Trustees of the General Loan Office are near *Eight Hundred Pounds* in Advance: So that we have no Fund from whence we are enabled to lend to the Crown the Money requested, were we ever so desirous of doing it. Besides, we observe from the State of the Account the Governor was pleased to direct to be laid before us, that Part of the aforesaid *Five Thousand Pounds* as yet remains unexpended; and although this is intended for other Uses, we must submit it to the Governor's Judgment, whether that Money may not be applied to the present Exigencies, and a like Sum replaced out of what General *St. Clair* is to pay on his Arrival.

The Season of the Year is so far advanced, and a new Election for the Choice of Representatives to serve in Assembly so near, that we think it too late to enter into the Consideration of a Bill of such Importance as that for Billeting of Soldiers in any Shape must be.

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Oswald Peele* and *Edward Warner* carry up the same to the Governor, together with the Order of the House for his Support, and acquaint him, that the House is inclined to adjourn this Day to the Thirtieth of *September*.

The Report of the Committee of Public Accounts, being approved and allowed by the House, was ordered to be inserted in the Minutes, and follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by Order of Assembly to settle the Accounts of the* GENERAL LOAN OFFICE *of the Province of* Pennsylvania, REPORT,

Report of the Committee appointed to settle the Accounts of the General Loan Office.

THAT, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan Office undischarged, we find there are principal Sums or Quotas thereon, to become due and payable to the Trustees, the Sum of - -				£	42,519	11	8
That 232 Mortgages have been taken, Part on the sixth Re-emission and Part on the second £ 80,000 Act, amounting, as per List, to — — —					15,676	0	0
That there are Quotas outstanding, and now due on all the said Mortgage Deeds, as by a List exhibited by the Trustees to the Committee, and by them examined, amounting to the Sum of — — —				£	14,315	2	1
That several Sums lent the Public, to be repaid into the Hands of the Trustees, are still outstanding, viz.							
The whole Sum appropriated by the second £ 30,000 Act, for building the State-House, — —	£	2000	0	0			
Part of the Sum lent the City of Philadelphia for building an Alms-House, — —		312	10	0			
Part of the Sum lent the Mayor and Commonalty of the City of Philadelphia by the first £ 30,000 Act, — —		156	0	0			
Part of the Sum put into the Hands of the Provincial Treasurer,		200	0	0			
— — —				£	2,668	10	0
— — —				£	75,179	3	9
Balance in the Hands of the Trustees, — — —					4,820	16	3
Makes the whole Sum current in the Province, — —				£	80,000	0	0
That the Trustees, upon Account of Interest, Charge the Province with Balance of last Year's Account, settled with the Committee, August 20, 1745, —				£	2400	14	10¾
And with the Interest outstanding on all the Mortgage Deeds, amounting, as per List, to					6051	18	10¾
And for sundry Orders for Assembly Mens Wages, — —					243	15	6
Paid Abraham Chapman in full, for Signing Bills of Credit, — —					33	0	0
Paid James Morris in full, for Signing Ditto, — —					19	0	0
Paid Joseph Harvey in full, for Signing Ditto, — — —					38	14	0
Paid Thomas Lloyd in full, for Signing Ditto, — — —					15	3	0
Paid Mordecai Lloyd, as Executor to Peter Lloyd, for Signing Ditto, —					15	3	0
Paid Lynford Lardner, for the Proprietors, in Pursuance of an Act of Assembly, —					130	0	0
Paid Samuel Kirk for Fire-Wood for the Assembly, — —					8	5	0
Paid for sweeping the State-House Chimneys, — — —						2	0
Paid for a Lock for the inner Door of the Loan Office, and for mending Chairs, —						16	10
Paid the Governor, by Order of Assembly, — —					500	0	0
Paid Reese Meredith, for one Hundred Pounds Sterling Bill of Exchange, sent to Richard Patridge, — — — —					182	10	0
Paid Thomas Leech towards finishing the State-House, — —					250	0	0
Paid the Trustees Salary for the current Year, — —					550	0	0
For an Allowance by Law for 172 Mortgage Deeds, as by Charles Brockden's List, —					172	0	0
For an Allowance by Law for Exchanging and Sinking £ 1400 burnt this Year, —					3	17	0
Paid for the Commissioners at Albany, their Expences and Presents to the Indians,					331	10	4
				£	10,946	10	5

1746. *6th Mo.* 23.

That the Truſtees, upon Account of Intereſt, Credit the Province for Sundries, viz.

By Intereſt outſtanding at the laſt Settlement,	£ 6286 0 11½	
By Intereſt ariſing on all the Mortgage Deeds this current Year,	2561 14 2½	
By broken Intereſt received this Year,	1339 14 10	
	£ 10,187 9 11½	
Balance due to the Truſtees,	759 0 5½	
		£ 10,946 10 5

WE, *the* COMMITTEE *appointed by Order of Aſſembly to audit and ſettle the Public Accounts,* REPORT,

Report of the Committee appointed to ſettle the Public Accounts.

THAT we have examined the Provincial Treaſurer's Account, and find that he Credits the Province,

By the Balance of laſt Account ſettled with the Committee, Auguſt 20, 1745,	£ 386 11 5	
By Caſh received of Judah Foulke, Collector of Exciſe for the County and City of Philadelphia,	1901 16 4	
By Caſh received of William Atkinſon, Collector of Exciſe for the County of Bucks,	142 13 0	
By Caſh received of Jeremiah Starr, Collector of Exciſe for the County of Cheſter,	307 0 0	
By Caſh received of Arthur Patterſon, Collector of Exciſe for the County of Lancaſter,	65 8 6	
By Caſh received of Arthur Patterſon, Collector of Exciſe for the County of Lancaſter, the further Sum of	54 0 9	
		£ 2857 10 0

That he Charges the Province with the following Articles, viz.

Paid Conrad Weiſer, per Order,	£ 40 0 0	
Paid Samuel Kirk, per Order,	8 0 0	
Paid Tench Francis, Eſq; Attorney General, two Orders of Aſſembly,	100 0 0	
Paid Abraham Chapman, per Order,	5 15 0	
Paid Charles Stow, per Order,	3 2 6	
Paid James Alcorn, per Order,	5 10 1	
Paid Richard Peters, per Order,	40 1 6	
Paid John Murphy, per Order,	6 0 0	
Paid Benjamin Franklin, per Order,	57 1 0	
Paid William Biddle, per Order,	39 13 10½	
Paid Thomas Burden, per Order,	0 16 0	
Paid Nicholas Scull, per Order,	9 9 8	
Paid James Morris, per Order,	5 15 0	
Paid Thomas Græme, Eſq; one of the Supreme Judges, per Order	50 0 0	
Paid Edward Warner, per Order,	5 5 0	
Paid Abraham Maſon, per Order,	7 4 0	
Paid Sarah Montgomery, per Order,	8 9 1	
Paid Abraham Shelley, per Order,	51 15 3	
Paid Joſeph Arthur, per Order,	20 13 9	
Paid Joſeph Harvey, per Order,	5 15 0	
Paid William Till, Eſq; one of the Judges of the Supreme Court, per Order,	50 0 0	
Paid the Honourable George Thomas, per Order,	1500 0 0	
Paid Thomas Ellis, per Order,	20 8 9	
Paid John Stamper, per Order,	6 11 4	
Paid Iſaac Norris, per Order,	3 0 0	
Paid Wight Maſſey, per Order,	2 16 0	
Paid Edward Drury, Expreſs to Maryland,	7 0 0	
Paid Conrad Weiſer, per Order,	65 0 0	
Paid John Murphy, Expreſs to Annapolis and Amboy,	10 0 0	
Paid Edward Drury, an Expreſs to Maryland,	6 0 0	
	£ 2141 2 9½	
Commiſſions on £ 2141 2 9½, at 5 per Cent.	107 1 1½	
	£ 2248 3 11	
Balance in the Treaſurer's Hands, due to the Province,	609 6 1	
		£ 2857 10 0

That we have examined the Account of Judah Foulke, Collector of Exciſe for the City and County of Philadelphia, and find that he Credits the Province,

By the Amount of Exciſe from the 1ſt of June, 1745, to the 1ſt of June, 1746,	£ 2224 5 8	
By Caſh received of ſundry Perſons for Fines,	52 10 0	
		£ 2276 15 8
That he Charges the Province with his Commiſſions on £ 2276 15 8, at 5 per Cent,	£ 113 16 9	
To Caſh paid Michael Lightfoot, Provincial Treaſurer, at ſundry times, including laſt Year,	1927 16 4	
To ſundry bad Debts, as per Liſt,	9 15 4	
Balance due to the Province,	225 7 3	
		£ 2276 15 8

That we have examined the Account of William Atkinſon, Collector of Exciſe for the County of Bucks, and find that he Credits the Province,

By the Balance of Account ſettled with the Committee laſt Year,	£ 97 18 7	
By Amount of Exciſe from the 1ſt of June, 1745, to the 1ſt of June, 1746,	161 5 3	
		£ 259 3 10
That he Charges the Province with the following Articles, viz.		
To Caſh paid the Provincial Treaſurer ſince the laſt Settlement,	£ 142 13 0	
To Commiſſions on £ 142 13 0, at 10 per Cent,	14 5 0	
Balance due to the Province,	102 5 10	
		£ 259 3 10

That we have examined the Account of Jeremiah Starr, Collector of Exciſe for the County of Cheſter, and find that he Credits the Province,

By the Balance of Account ſettled with the Committee laſt Year,	£ 333 8 7½	
By Amount of Entries from Auguſt 17th, 1745, to June 1ſt, 1746,	251 15 8	
By Fines from ſundry Perſons,	7 10 0	
		£ 592 14 3½
That he Charges the Province with the following Articles, viz.		
To Caſh paid the Provincial Treaſurer	307 0 0	
Commiſſions on £ 307 0 0, at 10 per Cent,	30 14 0	
Balance due to the Province,	255 0 3½	
		£ 592 14 3½

That

1746.
6th Mo 23.

That we have examined the Account of Arthur Patterson, Collector of Excise for the County of Lancaster, and find that he Credits the Province,
By Amount of Excise from June 1st, 1744, to June 1st, 1745, £219 0 7

That he Charges the Province with the following Articles, viz.

To Cash paid the Provincial Treasurer last Year,	£74 3 6	
To Cash paid the Provincial Treasurer this Year,	119 9 3	
Commissions on £193 12 9, at 10 per Cent,	19 7 3	
Balance due to the Province,	6 0 7	
		£219 0 7

And we do further Report, that he hath neglected to produce an Account of the Amount of Excise from the 1st of June, 1745, to the 1st of June, 1746.

We do further Report, that we have sunk and destroyed of the old Bills of Credit of the several Emissions, pursuant to the Directions of the £80,000 Act, £1189 2 0
And sunk by former Committees, the Sum of 64011 10 6
There remains to be sunk to complete all the Bills of the several Emissions before the £80,000 Act, the Sum of 3689 2 6
£68889 15 0

We have also sunk and destroyed of the Bills emitted by Virtue of the £80,000 Act, in Pursuance of an Act of Assembly, the Sum of £210 18 0
And sunk by the Committee last Year, 95 5 6
£306 3 6

That the Account of Charles Read, former Collector of the Excise for the City and County of Philadelphia, and of the Duty upon Negroes, remains as in the Report of 1734.

That the Trustees of the General Loan Office have paid to Andrew Hamilton, by Order of the Governor, Five Thousand Pounds, pursuant to an Act of Assembly, granting that Sum to the King's Use. £5000 0 0

Submitted to the Correction of the House, Aug. 20, 1746, *by*
JAMES MORRIS, ABRAHAM CHAPMAN,
EDWARD WARNER, JOSEPH HARVEY."

Then the several Orders on the Treasurer and Trustees, for the Salaries of Officers, and Allowances for Public Services, being drawn, were signed by the Speaker, by Order of the House.

The Gentlemen appointed to wait on the Governor with the Message of the House, &c. report, that they delivered the same, according to Order; and that the Governor was pleased to thank the House for the Support allowed him; and to say, that if they adjourned to the Time proposed, he knew not but he might be under a Necessity of calling them again.

Then the House adjourned to the Thirtieth Day of *September* next. Adjournment

INCIDENTAL CHARGES.

Incidental Charges.

TO the Honourable GEORGE THOMAS, Esq; the Remainder of his Support,	£500 0 0
To *John Kinsey*, Esq; Chief Judge of the Supreme Court,	150 0 0
To *Thomas Græme*, Esq; another of the Judges,	50 0 0
To *William Till*, Esq; another of the Judges,	50 0 0
To *Richard Patridge*, Esq; his Salary as Agent, £100 Sterling,	175 0 0
To the Members of Assembly, for their Attendance, at 5*s. per Diem*, the Gross Sum,	446 10 0
To *John Kinsey*, Speaker of the House, for drawing Bills, and other Services,	80 0 0
To *James Morris*, for 30 Days Attendance on the Committee of Accounts,	7 10 0
To *Edward Warner*, for 30 Days Ditto,	7 10 0
To *Abraham Chapman*, for 26 Days, Ditto,	6 10 0
To *Tench Francis*, Attorney General, per Order of the House,	50 0 0
To *Richard Peters*, Secretary, his Salary as Clerk of the Council,	15 0 0
To Ditto, for other Services, as per Account, allowed by the House,	9 2 6
To Ditto, Cash paid sundry Messengers on divers Occasions, per Account,	32 0 0
To *Benjamin Franklin*, as Clerk of the House, and for Printing Votes, per Account,	111 13 6
To Ditto, for Postage, in two Accounts, to the 25th of 6 *Month*, 1746,	25 3 3
To *Samuel Kirk*, his Salary as Serjeant,	8 0 0
To *Thomas Burden*, for his Attendance on the Assembly and Committee, and Doorkeeper, per Account,	16 6 9
To *Charles Stow*, for summoning 22 Councils, at 2s 6d.	2 15 0
To *Jacob Shoemaker*, for Coffins for three *Indians*, and burying them,	2 8 0
To *William Till*, per Account, for Cash he paid for dieting *French* Prisoners,	26 19 6
To *John Sterret*, Fees on Trial of an *Indian* in *Lancaster* County,	3 1 0
To *James Read*, for prosecuting Criminals at the last Court of Oyer and Terminer at *Lancaster*.	10 0 0
	£1785 9 6

At

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1746.

Oct. 14. *Post Meridiem.* BY the Returns of the Sheriffs of the reſpective Counties, it appears that the following Gentlemen are duly choſen to ſerve in Aſſembly as Repreſentatives of the Freemen of the Province of *Pennſylvania* for the Year enſuing, *viz.*

For *Philadelphia* County.	*Bucks* County.	*Cheſter* County.
John Kinſey,	*Richard Mitchell,*	*Francis Yarnal,*
Iſaac Norris,	*Derick Hogelandt,*	*George Aſhbridge,*
Joſeph Trotter,	*Abraham Chapman,*	*Robert Lewis,*
Thomas Leech,	*Mahlon Kirkbride,*	*Thomas Worth,*
James Morris,	*John Watſon,*	*Samuel Levis,*
Owen Evans,	*John Hall,*	*Peter Dicks,*
Edward Warner,	*Cephas Child,*	*Thomas Chandler,*
Hugh Evans.	*Joſeph Hampton.*	*John Owen.*

For *Philadelphia* City.		*Lancaſter* County.	
Iſrael Pemberton,	Burgeſſes.	*John Wright,*	*Arthur Patterſon,*
Oſwald Peele,		*James Mitchell,*	*James Wright.*

And a Quorum of the Repreſentatives being met, according to the Charter and Laws of this Province, proceeded to the Choice of a Speaker, and *John Kinſey*, Eſq; was, by a great Majority of Voices, choſen Speaker, and accordingly placed in the Chair.

Ordered, That *Joſeph Trotter*, *Oſwald Peele*, *Richard Mitchell*, *Francis Yarnal*, and *James Mitchel* wait upon the Governor, and acquaint him, that, in Purſuance of the Charter of Privileges and Laws of this Province, a Quorum of the Repreſentatives have met, and choſe their Speaker; and deſire to know when he will be pleaſed to receive the Houſe, that they may preſent him.

The Gentlemen return and report, that they had waited upon the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay he would receive the Houſe To-morrow at Twelve o'Clock.

Adjournment *Oct.* 15. Then the Houſe adjourned to Eleven o'Clock To-morrow Morning.

The Speaker, with the whole Houſe, went to wait upon the Governor.

And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor and preſented their Speaker, and that the Governor was pleaſed to approve their Choice. That he had then made the uſual Claim of Privileges, *viz.*

That the Houſe, during their Sitting in Aſſembly, may enjoy Freedom of Speech in all their Propoſitions and Debates.

That the better to diſcharge the Buſineſs of the Public, they may at all Times have free Acceſs to the Governor.

That their Perſons and Eſtates may be protected from all Arreſts and Moleſtations during the Time of Privilege accuſtomed.

That the Governor would be pleaſed not to hearken to any Report that may be made to him, touching any Matter debated in the Houſe, until ſuch Time as it ſhall have paſſed into a Reſolve, nor give any Credit to ſuch Report.

That, if the Speaker, in reporting any Thing to the Governor, as the Senſe of the Houſe, chance to be miſtaken, ſuch Miſtake may not be imputed to the Houſe, but that he may have Liberty to reſort to them for their true Intent and Meaning, and that the Miſtake may be excuſed.

All which the Speaker had requeſted as the juſt Rights and Privileges of the People of *Pennſylvania*, derived and confirmed to them by the Charter and Laws of this Province. And the Governor was pleaſed to aſſure them, that the ſame ſhould be inviolably obſerved.

Then the Qualification by Law directed, was taken and ſubſcribed, firſt by the Speaker in the Chair, and afterwards at the Table by the reſt of the Members preſent, in their Order.

Reſolved, That *Benjamin Franklin* be Clerk to this Houſe for the enſuing Year. And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Serjeant at Arms to this Houſe for the enſuing Year.

Reſolved, That *Thomas Burden* be Doorkeeper to this Houſe for the enſuing Year.

Reſolved,

1746. Oct. 15

Resolved, That *Richard Patridge*, Esq; be Agent of this Province at the Court of *Great-Britain*, for the ensuing Year.

Ordered, That *Isaac Norris*, *Thomas Leech* and *Israel Pemberton*, be, with the Speaker, a Committee of Correspondence.

Ordered, That *Edward Warner*, *Isaac Norris*, *James Morris*, *Abraham Chapman*, *John Owen* and *James Wright* be a Committee to audit and settle the Accounts of the General Loan Office, and other Public Accounts; and to sink and destroy the old Bills of Credit received in Exchange, pursuant to the last Paper Money Acts; and they have Power to send for Persons, Papers and Records.

Ordered, That *Isaac Norris*, *James Morris*, *John Hall*, *Samuel Levis* and *James Mitchell* be a Committee of Aggrievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That the Votes of this House be printed, and that *Thomas Leech*, *Isaac Norris* and *Israel Pemberton* be a Committee to revise them before they are printed.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor sent a written Message to the House, with several Letters referred to therein; which were read, and the Message follows in these Words, *viz.* *Post Meridiem.*

GENTLEMEN,

'HAD General *St. Clair*, with the Troops from *England*, arrived in the Time we had Reason to expect from his Grace the Duke of *Newcastle's* Letter, the Money granted by the last Assembly, and applied by me to the Service directed by his Majesty, would have been more than sufficient for the Number of Men raised here: But as they received no Subsistence from the King, I have been obliged, agreeable to the Assembly's Answer to my last Message on this Subject, first to furnish each Captain with *One Hundred and Fifty Pounds*, towards the Discharge of his Company's Quarters, and afterwards with the like Sum for their Subsistence in their March to *Albany*; so that I am now £ 413 11 7 in Advance, as will appear by the Accounts, which I have ordered to be laid before you; for every Article of which I am ready to produce Vouchers, to such of the Members of your House as you shall think fit to appoint for the Examination of them.——I need not be at any Pains to convince you, that without this Advance, the Troops could not have marched out of the Province; and consequently, would have been a Burthen upon the Public; or have subsisted by plundering the Inhabitants. You will observe by Governor *Gooch's* and Governor *Shirley's* Letters, in Answer to my Applications to them for the Pay of the Soldiers, to discharge their Quarters, that as those raised in the other Colonies were subsisted by them respectively, I can have no Expectation of being reimbursed by the Crown; nor will it be in my Power to make any Stoppages out of their Pay, since it is now altogether improbable that it will ever come into my Hands; so that my only Resource is to you: And I assure myself, that as I have nothing but my Trouble for my Pains, in this Business, and have acted for the general Ease and Advantage of the Province, you will not allow me to be a Sufferer.

'You will observe likewise from a Letter, which I received last Week from Governor *Clinton*, that the Troops from hence had threatened a general Desertion, if they were not supplied with Blankets, as those from the other Governments had been; and that he had already secured one Hundred and Fifty for them upon the Credit of this Government, but could get no more. I wrote to him in Answer, that the Money granted was all expended; and as Blankets were not allowed by the King, as Part of a Soldier's Cloathing, I knew not how to act in it; but would recommend it to the Consideration of the Assembly.——The Season sufficiently speaks the Necessity of such a Provision, without any Arguments of mine to persuade you to it.

October 15, 1746. *GEORGE THOMAS.*"

The farther Consideration of the Governor's Message is referred to To-morrow Morning.

A Petition from sundry Innholders of the Town of *Germantown*, was presented to the House and read, setting forth, that they had dieted Part of Captain *John Diemer's* Company, raised for the present Expedition against *Canada*, a considerable Time; the Expence of which amounts in the Whole (as appears by the several Accounts settled with the said Captain before he marched) to the Sum of £ 346 7 3; that they expected the same would have been paid by Mr. *Andrew Hamilton*, out of the Money granted by the Government, but are now informed that Money is all expended; and therefore pray the House would take the Premises into Consideration, and grant such Relief as may seem meet. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Oct. 16.

The Governor's Message, with the Letters therein referred to, was again read, and the farther Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

1746. *Oct.* 16. *Poſt Meridiem.* The Houſe reſumed the Conſideration of the Governor's Meſſage; and after ſome Time ſpent therein, the farther Conſideration thereof was adjourned to To-morrow Morning.

A Petition from *James Claxton*, Innholder of *Frankfort*, ſetting forth, that there is due to him for the Diet of Soldiers of Captain *Trent's* Company £ 78 17 0, as by an Order drawn by the ſaid Captain on the Governor (who refuſed to accept the ſame) may appear; and praying that the Houſe would take the Premiſes into Conſideration, and give him ſuch Relief as to them ſhall ſeem meet; was preſented to the Houſe and read. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Oct. 17. The Houſe, on Conſideration of the latter Part of the Governor's Meſſage, agreed, that the Sum of *Four Hundred and Fifty Pounds* be paid to him for the King's Uſe, and that an Order be drawn on the Treaſurer for that Sum. And the Conſideration of the other Parts of the ſaid Meſſage is referred to the next Sitting of Aſſembly.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Order on the Treaſurer for £ 450 payable to the Governor for the Kings Uſe, being drawn, was ſigned by the Speaker, by Order of the Houſe.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor and deliver him the Order, acquainting him, that the Houſe is inclined to adjourn this Day to the 5th of the next Eleventh Month, if he hath no Objection thereto.

The Petition of the Innholders of *Germantown*, and of *James Claxton*, Innholder of *Frankfort*, were again read, and the further Conſideration thereof adjourned to the next Sitting.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Order on the Treaſurer, and acquainted him with the propoſed Adjournment, to which he had made no Objection.

Adjournment. Then the Houſe adjourned to the 5th Day of the next 11th Month.

11*th Mo.* 5. THE Houſe met purſuant to their Adjournment.

Poſt Meridiem. *Ordered*, That *Edward Warner* and *Oſwald Peele* wait upon the Governor, and acquaint him, that the Houſe is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 6. The Gentlemen appointed to wait on the Governor with the Meſſage of Yeſternight, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay he would ſend a Meſſage to the Houſe in the Morning.

Robert Lewis, choſen and returned a Repreſentative for the County of *Cheſter*, appearing in the Houſe, took and ſubſcribed the Qualification by Law appointed to be taken by the Members of Aſſembly.

The Governor, by his Secretary, ſent down a Meſſage to the Houſe in Writing, which was read and follows in theſe Words, *viz.*

GENTLEMEN,

The Governor's Meſſage. 'THE Troops raiſed in this Government, and now in Winter Quarters at *Albany*, having been furniſhed with Proviſions for four Months, by the Direction of Brigadier *Gooch*, commencing from the Day of their Arrival there, and that Time being near expired, it has been recommended by Governor *Clinton*, and Application has been made to me by the Captains of the four Companies, that a timely Supply be forthwith ſent them. As the Seaſon of the Year rendered this impracticable, I thought I might ſave you the Trouble of a Meeting for this Purpoſe only, and left it to the commanding Officer to make a reaſonable Proviſion for them in that Country, until your Houſe, and a Return of favourable Weather, ſhould enable me to ſupply their Wants.

'I have not received any Orders from his Majeſty, relating to the Pay or Subſiſtence of thoſe Troops, ſince your laſt Meeting; nor do I hear that any are come to the other Governors upon the Continent; ſo the Care of the four *Pennſylvania* Companies muſt ſtill lie upon you.

January 6th, 1746-7. *GEORGE THOMAS.*"

Ordered, That the Governor's Meſſage be again read in the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor's Meſſage was again read, and the farther Conſideration thereof was referred to To-morrow Morning.

A Petition from *James M'Veagh*, *James Claxton* and *Joſeph Levis*, Innholders of the Town of *Frankfort*, praying Payment of ſundry Sums of Money due to them for Dieting Soldiers, was preſented to the Houſe and read. *Ordered to lie on the Table.*

A Petition from *James Mather*, of the Borough of *Cheſter*, Innholder, praying Payment of

of £ 56 8 0 due to him for Dieting, &c. of 24 Soldiers of Captain *Shannon's* Company; was presented to the House and read. *Ordered to lie on the Table.* 1746. 11th Mo. 6.

A Petition from *David Cowpland*, of the Borough of *Chester*, Innholder, was presented to the House and read, praying Payment of £ 46 12 8, due to him for Dieting, &c. Part of Captain *Shannon's* Company. *Ordered to lie on the Table.*

A Petition from a great Number of the Inhabitants of *Lancaster* County, dwelling on the West-side of *Susquehannah* River, praying, for the Reasons therein mentioned, that a new County may be erected on that Side of the River; was presented to the House and read. *Ordered to lie on the Table.*

Two Petitions from sundry Inhabitants of *Chester* County, praying a Revisal and Amendment of the Act for the Relief of Insolvent Debtors, were presented to the House and read; and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Message was again read and considered, together with his Message of the 15th of *October* last, and the Duke of *Newcastle's* Letter, relating to the Expedition; and after sundry Debates thereupon, the further Consideration thereof was adjourned to the 10th Instant. 11th Mo. 7.

A Petition from *Alexander Gandouit*, Practitioner in Physick, praying Payment of his Account for Medicines and Attendance on the Cure of sundry sick Soldiers of Captain *Shannon's* Company, was presented to the House and read. *Ordered to lie on the Table.*

The Petitions of the Innholders of *Frankfort* and *Chester*, were again read and considered, and referred to further Consideration.

An Account from *Abraham Shelley*, Keeper of the Workhouse in *Philadelphia*, for Dieting a *Spanish* Friar 63 Days, was laid before the House and read.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Petition from *John Salkeld*, Innholder of *Chester*, praying Payment of £ 30 3 4½, due to him for Billeting Part of Captain *Shannon's* Company, was presented to the House and read; and ordered to lie on the Table. *Post Meridiem.*

A Petition from *Aubrey Bevan*, of the Borough of *Chester*, Innholder, praying Payment of the Sum of £ 37 18 7, due to him for Billeting Part of Captain *Shannon's* Company, was presented to the House and read; and ordered to lie on the Table.

The Petitions from *Chester* County, relating to the Insolvent Debtors Act, were again read and considered.

Ordered, That *Thomas Leech*, *Isaac Norris*, *Israel Pemberton*, *Abraham Chapman*, *Richard Mitchell*, *Peter Dicks*, *John Owen* and *Arthur Patterson* be a Committee to revise the Act for the Relief of Insolvent Debtors, and report to the House their Opinion what Amendments may be proper to be made thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition of a Number of the Inhabitants of the County of *Lancaster*, setting forth, that by their distant Situation from the Market, and other Circumstances, no Part of their Produce was heretofore so much to be depended on for raising Money, as Stocks of Cattle; but that of late great Herds of Cattle are drove into this Province from *Virginia* and other Southern Colonies, where, by reason of the more moderate Winters and great Savannahs, they can be cheaper raised than in this Province, and are here sold at a low Rate, to the great Discouragement of the Petitioners; and praying that a Law may be made effectually to stop the bringing in of such Cattle; and also to set Bounds to the Power of the Rangers in this Province; was presented to the House and read; and ordered to lie on the Table. 11th Mo. 8.

Another Petition from *Chester* County to the same Purport, was also presented to the House and read; and ordered to lie on the Table.

Abraham Shelley's Account was again read, and allowed.

The Petition of a Number of Inhabitants on the West-side of *Susquehannah*, praying for a new County, was read a second time, and considered; and the House taking Notice, that the Generality of the Names subscribed to the said Petition, are written by the same Penman, do not think proper to proceed upon it; and therefore it was ordered to lie on the Table.

The Petition of *Alexander Gandouit*, Practitioner in Physic, was again read. *Ordered to lie on the Table.*

The Petitions of *John Salkeld* and *Aubrey Bevan*, were again read. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Affair of the Dam over *Neshamineh* Creek; and after some Time spent therein, the farther Consideration thereof was referred to the next Sitting of Assembly. *Post Meridiem.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petitions from *Chester* and *Lancaster* Counties, relating to Cattle, Rangers, &c. were again read; *Resolved*, 11th Mo. 9.

1746. 11*th Mo.* 9, *Reſolved*, That that Part of the Petitions which relates to the Abuſes committed by Rangers, be referred to the Committee of Grievances, and they are to report thereupon to the Houſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Adjournment *Poſt Meridiem.* The Houſe reſumed the Conſideration of the Petitions relating to Cattle, *&c.* and after ſome Debate thereon, the ſame were referred to further Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 10. The Governor's Meſſage was again read, and conſidered;

Ordered, That *Iſaac Norris*, *Iſrael Pemberton*, *John Watſon*, *Samuel Levis* and *James Wright* be a Committee to prepare a Draught of an Anſwer to the ſame, and report it to the Houſe.

Adjournment. Then the Houſe adjourned to next Second Day at Three o'Clock, *P. M.*

11*th Mo.* 12. The Houſe met, purſuant to their Adjournment; and adjourned to Ten o'Clock To-morrow Morning.

Adjournment.

11*th Mo.* 13. A Petition from *Jacob Heſton*, of *Bucks* County, was preſented to the Houſe and read, ſetting forth, that he ſome Time ſince bought a Plantation, which had been taken in Execution, and was ſold by the Sheriff to ſatisfy a Debt; that he hath ſince improved the ſame by conſiderable Labour and Expence, but can obtain no Title, by reaſon, it now appears, that the Money due to the Public on a Mortgage of the ſame Plantation, exceeds the Sum it was ſold for, and that therefore the Sale is void; praying that the Houſe would take the Premiſes into Conſideration, and afford him ſuch Relief as to them ſhall ſeem meet. *Ordered to lie on the Table.*

A Petition from ſundry Innholders of the Town of *Derby*, praying Payment of ſeveral Sums of Money due to them for the Subſiſtence of Soldiers belonging to Captain *Perry's* Company, and left unpaid by the ſaid Captain, was preſented to the Houſe and read. *Ordered to lie on the Table.*

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P M.*

The Gentlemen appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read by Order, and approved by the Houſe, and ordered to be tranſcribed that it may be ſent up to the Governor.

And the Meſſage being accordingly tranſcribed, was read and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Anſwer to the Governor's Meſſage. AS the Time propoſed for the Expedition againſt *Canada* is elapſed, and neither Ships of War nor Troops ſent to *America*, nor any Continuance of the Orders to the ſeveral Governors in this Affair, it ſeems not unreaſonable to conjecture the Enterpriſe is laid aſide. And if this be, as probably it is the Caſe, we ſee not why ſo great a Number of Men, eſpecially at the Charge of the Colonies, ſhould be kept together, when the Service originally propoſed by raiſing them, is at an End.

But if the Governor of *New-York*, who, as we are informed, commands in Chief the Troops at *Albany*, from any Inſtructions he hath received, may think he ſhall be juſtified in keeping them together, there is little Reaſon to doubt he will alſo be juſtified in the neceſſary Means of doing it, *viz.* by continuing to draw Bills for their Support and Pay. So great a Burden, we perſuade ourſelves, it is not the King's Intentions his Subjects of theſe Northern Colonies ſhould be loaded with."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Trotter* and *Edward Warner* wait upon the Governor, and deliver the ſame.

The Petition from the Innkeepers of *Derby* was again read; and ordered to lie on the Table.

The Gentlemen return and report, that they waited upon the Governor, and delivered the Meſſage according to Order.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 14. *Jacob Heſton's* Petition was again read; and ordered to lie on the Table.

Reſolved, That the Sum of *Five Hundred Pounds* be now paid the Honourable GEORGE THOMAS, Eſq; Governor of this Province, in Part of his Support for the current Year.

And an Order on the Treaſurer for that Sum being accordingly drawn, was ſigned by the Speaker, by Order of the Houſe.

Reſolved, That the Houſe will this Day adjourn to the Fourth Day of the next Third Month.

Reſolved, That the further Conſideration of the Governor's firſt Meſſage, be referred to the next Sitting.

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor, and preſent him with the Order of the Houſe for his Support, and acquaint him with the propoſed Time of Adjournment.

The

The Gentlemen return and report, that they waited upon the Governor, and delivered him the Order on the Treasurer, for which he was pleased to thank the House; that they also acquainted him with the proposed Time of Adjournment, which he approved of. 1746. 11th Mo. 14.

Ordered, That the Committee of Public Accounts examine the Accounts of the Agent, and report thereon at next Sitting.

Then the House adjourned to the Fourth Day of the next Third Month. Adjournment

THE House met, pursuant to their Adjournment. 1747. 3d Mo. 4. *Post Meridiem.*

Ordered, That *James Morris* and *Joseph Trotter* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

The Gentlemen return and report that they waited upon the Governor, and delivered the Message of the House according to Order, and that the Governor was pleased to desire the Attendance of the House To-morrow at Twelve o'Clock.

A Petition from *Jonathan Evans*, of the City of *Philadelphia*, Cooper, was presented to the House and read, setting forth, that the Act for preventing unfair Practices in Curing and Packing Beef and Pork intended for Exportation, has been neglected since the Decease of the Officer therein appointed; that the Petitioner has been frequently employed in gauging, curing and re-packing Beef and Pork, and is well acquainted with that Business; therefore praying to be appointed the Officer for executing the said Act. *Ordered to lie on the Table.*

A Petition from *Daniel Hoodt*, of *Philadelphia*, Cooper, was presented to the House and read, praying to be appointed the Officer for putting in Execution the Act for preventing unfair Practices in the Packing of Beef and Pork for Exportation.

Ordered to lie on the Table.

Then the House adjourned to Eleven o'Clock To-morrow Morning, Adjournment

A Petition from sundry Merchants and Traders to Parts beyond the Seas, in the City of *Philadelphia*, on Behalf of themselves and others; setting forth, that the Officer appointed to put in Execution the Act to prevent unfair Practices in Packing of Beef and Pork for Exportation, having been some Time deceased, the Regulations intended by the said Act are not duly observed, to the great Injury of Persons trading in these Commodities, and the Disreputation of the Province in general, the Value of this Part of our Produce being considerably diminished in the *West Indies*, by the negligent and fraudulent Practices of some concerned in Packing and Curing of Beef more particularly; and praying that the House would revive the said Act, with such Alterations as on Consideration shall be found necessary, and appoint such Persons to put the same in Execution as by their Experience and Care therein may prevent the said fraudulent Practices, and be most likely to recover our Credit in foreign Markets; was presented to the House and read, and ordered to lie on the Table. 3d Mo. 5.

A Petition from *Hugh Forbes* and *James Trueman*, of the City of *Philadelphia*, Coopers, was presented to the House and read, praying, that they may be appointed the Officers for putting in Execution the Act for preventing unfair Practices in Packing of Beef and Pork for Exportation.—And the said Petition was accompanied with a Recommendation of the Petitioners as experienced and suitable Persons, signed by a considerable Number of Merchants. *Ordered to lie on the Table.*

A Petition from *Stephen Jenkins*, of the City of *Philadelphia*, Cooper, praying that he may be appointed the Officer for Packing Beef and Pork, *&c.* was presented to the House and read, and ordered to lie on the Table.

John Wright, returned a Representative for the County of *Lancaster*, appeared in the House, and took and subscribed the Qualification by Law appointed to be taken by the Members of Assembly; and then took his Place in the House.

Then the Speaker, with the whole House, went to wait on the Governor;

And being returned, the Speaker reported, that he had with the whole House attended the Governor, who had been pleased to make a Speech to the House, of which he had obtained a Copy; and the same was read to the House, and is as followeth, *viz.*

Mr. Speaker, and Gentlemen of the Assembly,

The Governor's Speech.

'I AM sorry for the Occasion of condoling with you on the Death of Mr. *John Penn*, late one of your Proprietors. As his Humanity, good Nature and Affability, made 'him much lamented by his private Acquaintance; so his constant Regard for your Li- 'berties and Interests, would render the Loss of him very sensible to the Public, were 'there not still remaining two worthy Branches of the same Family.

'My own Want of Health, and from thence an Inability to discharge the Trust com- 'mitted to me, with that Vigour and Punctuality which the Duty of my Station re- 'quires, has at length determined me to embark, God willing, for *England*; in Hopes 'that a Relaxation from Business, or the Change of Climate, may afford me some 'Relief: And I am therefore glad of this Opportunity of seeing you upon your own

1747. 3d Mo. 5. ‘ Adjournment, as that may be concluded moſt convenient to your private Affairs.—— ‘ If you have any Thing immediately neceſſary for the public Service to lay before me, ‘ you will not fail of receiving a further Proof of my Regard for it: But if the Execu- ‘ tion is to be carried into a diſtant Time, it will better become me to leave it to my ‘ Succeſſor in the Government, as a Means of recommending himſelf to the Good-will ‘ of the People.

‘ It will be to no Purpoſe for me to give a Character of my own Adminiſtration.—— ‘ My Lot has fallen into difficult and tempeſtuous Times; and a greater Variety of Buſi- ‘ neſs has been tranſacted during my nine Years Reſidence here, than in any Time ſince ‘ the Settlement of the Province.—Whether any Degree of Prudence or Skill has ap- ‘ peared in my Conduct, muſt be left to the Judgment of others. I will only venture ‘ to ſay of myſelf, that my Intentions have been good, and my Actions incorrupt: And ‘ that the Service of his Majeſty, and the Honour and Reputation of the Province, have ‘ always had the Preference with me to my own Eaſe or private Intereſt.

‘ As I have received many Marks of the Public Eſteem, it will be readily believed, ‘ that I take my Leave of the Province with Concern. I really do, and very heartily ‘ wiſh it Proſperity. Some Memorials of my paſt Regard will be left with you; and ‘ I ſhall, during my Life, embrace every Occaſion wherein I may be uſeful, of pro- ‘ moting the general Good of *Pennſylvania*.

May 5, 1747. *GEORGE THOMAS.*”

The Speaker farther reported, that the Governor had alſo been pleaſed to ſay, if any Thing occurred to him during the Sitting of the Houſe, proper for their Conſideration, he would communicate it by Meſſage.

Ordered, That the Governor's Speech be again read in the Afternoon.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor's Speech was again read and conſidered.

Ordered, That *Thomas Leech*, *Iſrael Pemberton*, *Abraham Chapman*, *Thomas Chandler* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the ſaid Speech, and report the ſame to the Houſe.

A Petition from ſundry Inhabitants of the County of *Cheſter*, praying Amendment or better Explanation of divers Laws of this Province, in ſeveral Particulars in the ſaid Petition mentioned; was preſented to the Houſe and read. *Ordered to lie on the Table.*

Adjournment 3d Mo. 6. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Petition of the Merchants of *Philadelphia*, relating to the Packing of Beef and Pork for Exportation, was again read.

The Act entituled, *An Act more effectually to prevent unfair Practices in the Packing of Beef and Pork for Exportation*, was alſo read.

The Petitions from *Cheſter* and *Lancaſter* Counties, relating to Cattle, *&c.* were again read; and after ſome Debate, the Queſtion was put, Whether the Houſe will at this Time reviſe the Act, entituled, *An Act more effectually to prevent unfair Practices in the Packing of Beef and Pork for Exportation?* *Paſt in the Negative.*

Reſolved, That the Houſe will this Afternoon appoint an Officer to put the ſaid Act in Execution, in the Room of *Nathaniel Griffitts*, deceaſed.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Four o'Clock, *P. M.*

A Petition from *Peter Bard*, Merchant of *Philadelphia*, in Behalf of himſelf and others, Owners of the Privateer Ship *Marlborough*, praying Payment of an Account of Expences in maintaining and ſending away ſundry Priſoners, brought in by the ſaid Privateer, amounting to £ 68 6 0; was preſented to the Houſe and read.

Ordered to lie on the Table.

The ſeveral Petitions for the Office of Packer of Beef, Pork, *&c.* were again read;

Reſolved, That *Jonathan Evans* be appointed the Officer for putting in Execution the Act, entituled, *An Act more effectually to prevent unfair Practices in the Packing of Beef and Pork for Exportation.*

Adjournment 3d Mo. 7. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Addreſs in Anſwer to the Governor's Speech, reported the ſame to the Houſe, and it was approved of, and ordered to be tranſcribed.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Addreſs to the Governor being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

The Aſſembly's Addreſs to the Governor's Speech. WE, the Repreſentatives of the Freemen of the Province of *Pennſylvania*, return the Governor our hearty Thanks for his laſt favourable Speech. We ſincerely condole with him on the Loſs the Province hath ſuſtained, by the Death of one of our Proprietors. The Benevolence, Generoſity and public Spirit of our late worthy Proprietary, his Father, are yet freſh in our View. The Regard paid to his Memory, naturally devolved

devolved on his Descendants; who, being educated in like Principles, and under the Influence of so good an Example, gives us Reason to hope for the Continuance of the like Beneficence. 1747. 3d Mo. 7.

As the Governor has long resided amongst us, is perfectly acquainted with our public Affairs, and so good Harmony subsists between the Branches of the Legislature, his Continuance in the Exercise of the Government, if his Health had permitted, would be most agreeable to us; But since the Governor's Indisposition, and his Hopes of Relief by a Relaxation from public Business, or Change of Climate, has determined him to embark for *England*, we acquiesce under the Necessity.

We have had divers Bills under our Consideration, which, when past into Laws, will, we judge, be for the general Good of the Province, but as the Time for the Governor's Departure draws near, to proceed in them at this Juncture, might take up more of his Time than can well be spared, and therefore we have concluded to postpone them until some future Opportunity; such only excepted, if any occur to us, as shall be thought immediately necessary for the public Service: And we return the Governor our grateful Acknowledgments for the Assurance he gives us, that when these are laid before him, we shall not fail of receiving a further Proof of his Regard.

In transacting of public Affairs, it is not to be expected but that there will be a Variety of Sentiments, more especially in such difficult and tempestuous Times (as the Governor is pleased to mention) yet, while both Parts of the Legislature act with Integrity, and consistently with their Judgments, such a Variety must be beneficial to the Public. Nobody, we think, entertains any Doubts of the Governor's Skill or Abilities; and we believe that he hath been regardful both of the King's Service and the Honour and Reputation of the Province.

The Concern the Governor expresses on taking Leave of the Province, his hearty Wishes for its Prosperity, and the Declaration he is pleased to make of embracing every Opportunity wherein he may be useful in promoting the general Good of *Pennsylvania*, as they are Instances of his Regard, are very acceptable to us, and engage our best Wishes for his prosperous Voyage, the Restoration of his Health, and all manner of Happiness."

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and desire to know when he will be pleased to receive the House, that they may present their Address.

A Bill for continuing the Act, entituled, *An Act for the better securing the City of* Philadelphia *from the Danger of Gunpowder*, was brought into the House and read the first time, and ordered a second Reading.

The same Bill was again read.

The said Act was also read:

And a former Petition from *Elizabeth Chancellor*, praying a Continuance of the said Act in Favour of the Children of *William Chancellor*, deceased, was again read;

Ordered, That the Bill be engrossed for a third Reading.

An Account from *Marcus Hewlings*, amounting to *Three Pounds Ten Shillings*, expended by him in making two Journeys to *Philadelphia* to interpret for the *Indians*; was laid before the House and read, and referred to further Consideration at the End of the Year.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed Yesternight to wait upon the Governor with the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would receive the House this Day at Twelve o'Clock. 3d Mo. 8.

The engrossed Bill for the Continuance of an Act, entituled, *An Act for the better securing the City of* Philadelphia *from the Danger of Gunpowder*, was read a third time.

Resolved, That the Bill do pass.

Ordered, That *Joseph Trotter* and *James Morris* carry up the same to the Governor for his Concurrence.

A Petition from *Edmund Woolley* and *John Coats*, both of the City of *Philadelphia*, praying Leave to bring in a Bill for the Sale of a certain Piece of Ground, with the House thereon erected, commonly called the *New-Building*, in order to the Payment of the Debts due therefrom; the same having been originally intended for a Charity School for the Instructing of poor Children *gratis* in the Knowledge of the Christian Religion, and in useful Literature, with other pious Purposes, none of which have been complied with or carried into Execution by the Trustees for that Purpose appointed; was presented to the House and read; and ordered to lie on the Table.

A Petition from sundry Inhabitants of the County of *Lancaster*, complaining of the Conduct of some Magistrates of the same County, was presented to the House and read.

Ordered to lie on the Table.

A Petition from *Robert Stewart*, of the County of *Lancaster*, complaining of the Conduct of a certain Magistrate of the said County towards him the said *Stewart*, was presented to the House and read. *Ordered to lie on the Table.*

A Petition from a Number of the Inhabitants of *Lancaster* County, living on the West-side

1747. 3d Mo. 8. West-side of *Saſquehannah*, praying, for the Reaſons therein mentioned, that a new County may be erected on that Side of the River, was preſented to the Houſe and read.

Ordered to lie on the Table.

The Gentlemen appointed to carry the Powder-houſe Bill up to the Governor, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would conſider it, and give it all the Diſpatch he could.

The Governor, by his Secretary, ſent down the Powder-houſe Bill, with a Meſſage, that he was ready to paſs the ſame into a Law.

The Speaker, with the whole Houſe, waited upon the Governor.

And being returned, the Speaker reported, that the Houſe had waited upon the Governor, and preſented their Addreſs; to which the Governor had been pleaſed to anſwer as follows:

'I THANK you, Gentlemen, for this Addreſs. You have ſaid full as many kind 'Things of me, as I could expect. Notwithſtanding your private Sentiments at this 'Time, more might look like putting yourſelves in the Wrong, conſidering our former 'Diſputes. I can only repeat what I ſaid to you a few Days ago, that I very heartily 'wiſh the Proſperity, and ſhall do every Thing in my Power for the Service of *Penn-* '*ſylvania*."

The Speaker alſo reported, that the Governor had been pleaſed to give his Aſſent to the Bill, entituled, *A Bill for the Continuance of an Act, entituled, An Act for the better ſecuring the City of* Philadelphia *from the Danger of Gunpowder*, by enacting the ſame into a Law, with the uſual Form; and that the Act had been delivered to two Members of the Houſe, who are to ſee the Great Seal affixed to the ſame, and that it be then depoſited in the Rolls Office.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Gentlemen appointed to ſee the Great Seal affixed to the Law, and the ſame depoſited in the Rolls Office, report that they ſaw it done accordingly.

Reſolved, That the Sum of *Five Hundred Pounds* be paid to the Honourable GEORGE THOMAS, Eſq; Governor of this Province, for the Remainder of his Support for the current Year, and in full of all his Demands againſt this Province; and that an Order on the Treaſurer iſſue under the Hand of the Speaker for that Purpoſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

3d Mo. 9. Agreeable to the Reſolve of Yeſterday, an Order was drawn on the Treaſurer for the Payment of *Five Hundred Pounds* to the Governor, and ſigned by the Speaker.

Ordered, That *Thomas Leech* and *Iſaac Norris* wait upon the Governor, and preſent him with the ſame, and acquaint him, that the Houſe inclines to adjourn this Day to the 17th of the next 6th Month, if he hath no Objection to that Time.

The Gentlemen return and report, that they waited upon the Governor, and preſented him with the Order on the Treaſurer, for which he was pleaſed to thank the Houſe; and that they had acquainted him with the propoſed Time of Adjournment, to which he had no Objection.

The Petition of *Peter Bard* was again read, and ordered to lie on the Table.

Marcus Hewling's Account was again read, and referred to the Committee of Public Accounts.

The Petition of *Edmund Woolley* and *John Coats*, was again read.

Ordered, That the Petitioners ſerve the Parties complained againſt with a Copy of the ſaid Petition; and the farther Conſideration thereof is referred to the next Sitting.

The Petition of *Robert Stewart* was again read, and ordered to lie on the Table.

The Petition of ſundry Inhabitants of *Lancaſter* County, againſt ſome Perſons in the Magiſtracy there, not named, was again read, and ordered to lie on the Table.

The Petition of the Inhabitants on the Weſt-ſide of *Saſquehannah*, for a new County, was again read, and referred to further Conſideration at the next Sitting.

Adjournment. Then the Houſe adjourned to the 17th Day of the next 6th Month.

6th Mo. 17. THE Houſe met, purſuant to their Adjournment.

Poſt Meridiem. A Petition from *Samuel Hazard*, of the City of *Philadelphia*, ſetting forth, that he is one of the Truſtees mentioned in the Petition lately preſented to the Houſe by *Edmund Woolley* and *John Coats*, and that he concurs therewith; praying that the Houſe would grant Leave to bring in a Bill for the Sale of the Piece of Ground and Building therein mentioned, that ſo Juſtice may be done to the Creditors thereof; was preſented to the Houſe and read, and ordered to lie on the Table.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 18. The Speaker laid before the Houſe a Letter from the Honourable *Thomas Penn*, Eſq; one of the Proprietaries of this Province, together with ſome Papers therein referred to, which were read.

A Meſſage

A Message from the President and Council, by *Robert Strettell* and *Thomas Hopkinson*, Esquires, Members of Council, *viz.*: 1747. 6th Mo. 18,

MR. SPEAKER,

The President and Council desire to speak with the House of Representatives in the Council Chamber.

Then the Gentlemen of the Council withdrew.

The House took the Message into Consideration; and

Resolved, That, whereas the Powers of Government, by an Act of General Assembly of this Province, made in the tenth and eleventh Years of the late Queen *Ann*, are devolved upon the President and a Quorum of the Council of this Province, who are enabled by the said Law to execute all the said Powers, as fully and amply as any Deputy or Lieutenant Governor may, can, or ought to do, Legislation only excepted; and whereas it may be for the public Service of the Government, for this House to meet the said President and Council; therefore the House will wait upon them accordingly.

Whereupon it was

Ordered,

That the Gentlemen of the Council be desired to walk in.

Which having been done, the said Gentlemen were by the Speaker acquainted, that the House would wait upon the President and Council, agreeable to their Request.

The Gentlemen being withdrawn, the Speaker left the Chair, and with the whole House waited upon the President and Council.

And being returned, the Speaker reported, that having waited on the President and Council, the President had made a Speech to the House, a Copy whereof had been given to him, together with several Papers therein referred to, which he delivered in at the Table, where they were read by Order; and the Speech follows in these Words, *viz.*

GENTLEMEN,

The Speech of the President and Council to the Assembly.

'AS upon our late Governor's Departure for *England*, for the Recovery of his Health 'the Administration of the Government (by an Act passed in the 10th Year of 'Queen *Ann*, intituled, *An Act for the further securing the Administration of the Govern-'ment*) devolved upon the Council; we have, pursuant thereto, taken upon us the Exe-'cution of that Trust.

'As this important Charge hath fallen to our Lot in a very tempestuous Season, we 'are sensible of the Trouble and Difficulties that must attend the Execution of it, and 'heartily wish some one Person of known Integrity and Abilities had the Administration: 'But as that (how desirable soever) cannot be immediately accomplished, we shall en-'deavour to supply the Want of it, by a just and impartial Discharge of our Duty, ac-'cording to the best of our Judgments. And when it is considered how closely our seve-'ral Interests are connected with those of the Public; the Obligations we are under by 'the Ties of our Families, Friends and Neighbours; we think none can doubt of our 'Zeal and sincere Intentions for the Welfare of this Province.

'We have published our Proclamation for the continuing all Magistrates and Officers 'in their respective Offices, requiring them to proceed in the Exercise of their respective 'Trusts, to prevent any Failure or Defect that might otherwise arise from this Change 'in the Government.

'Just before the Governor's Departure he received from the Council Office a Re-'peal of an Act of Assembly, passed in the 16th Year of his present Majesty, entituled, 'An Act imposing a Duty on Persons convicted of heinous Crimes, &c. which we have 'ordered to be laid before you.

'We have received a Letter from Governor *Shirley*, informing us, "That divers "Parties of *Indians* were then out, and others daily offering their Service to the *English*; "which is a Matter of great and universal Concern to the Welfare of all his Majesty's "Colonies upon this Continent: And that, if this Spirit, which seemed thoroughly "raised, and had been to that Time kept up, was cherished, and properly managed and "directed, it might, by the Blessing of God, prove of unspeakable Benefit for the Safe-"ty of His Majesty's Colonies in *North America*." We have also received another 'Letter from him, wherein (after representing the Danger which all these Colonies are 'in, of being destroyed by the *French*, and the *Indians* under their Influence, without 'a firm Union between ourselves for our mutual Defence) he acquaints us, "That he "had appointed Commissioners to meet in a Congress, to be held at *New-York*, on the "second of *September* next, with such Commissioners as should be appointed by all "His Majesty's Governments, from *New-Hampshire* to *Virginia*, inclusive; there to "treat and agree upon Measures for encouraging the *Indians* of the *Six Nations* vi-"gorously to prosecute their Incursions on the Enemy; and pressing us to make Provision "for them till the Congress can be held."— Thereupon we dispatched *Conrad Weiser*, 'the Provincial Interpreter, to *Shamokin*, to sound the *Indians*, and get the best Infor-'mation he could of their Sentiments; which he accordingly did, and sent us a Report

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'of his Proceedings, with his Opinion; which, with Governor *Shirley's* Letters, we 'have ordered to be laid before you, as well deſerving your moſt ſerious Conſideration, 'ſince they contain Matters of very great Importance to the Safety of this as well as 'the reſt of His Majeſty's Colonies on the Continent.—Governor *Shirley* preſſes earneſtly 'for an Anſwer; but as we could not take upon us to enter into Engagements on Be-'half of this Government, without your Concurrence and Aſſurance of enabling us to 'perform them, we deferred it till this Meeting of your Houſe; and deſire your Re-'ſolutions, that we may acquaint him therewith; and how far he may depend on the 'Aſſiſtance of this Government, in concerting and executing ſuch Enterprizes and Plans 'of Operation as the common Intereſt may require.

'The *Indians* ſeated on Lake *Erie*, and on the *Inomoy* Creek, that runs into that 'Lake, being Part of, or in Alliance with, the *Six Nations*, ſaid by the *Indian* Traders 'to be numerous, and People of Conſequence, have ſent Meſſages to this Government, 'which will be delivered for your Peruſal. As they are deſirous to be taken into Friend-'ſhip, and it may be of great Service to encourage ſuch Applications, you will enable 'us to make them proper Preſents.

'You will find, by Mr. *Weiſer's* Report, that ſome Complaints have been made by 'the *Indians*, of ſeveral Injuries done them by white People, which deſerve your par-'ticular Notice; and, if true, require that ſome Reparation ſhould be immediately 'made.

'Some *Indians* are expected to arrive in *Philadelphia* during your Receſs, which will 'Occaſion ſome Expence in their Maintenance and in Preſents: You will therefore give 'Orders to the Treaſurer to pay all ſuch Sums of Money as ſhall be deemed neceſſary 'for thoſe Purpoſes, as well as to defray the Expences the Provincial Interpreter 'has been at in his Negotiations with them, and that a ſuitable Reward be allowed 'him for his Trouble and Service. He attends in Town, by Order of the Council, 'to the End you may be more particularly informed from him of the preſent Situation 'of the *Indians*, and their Affairs.

'The Council apprehending ſome Inconveniencies from our Enemies coming into the 'Port of *Philadelphia*, under the Sanction of Flags of Truce, as they thereby have an Op-'portunity of making themſelves better acquainted with the Bay and River of *Delaware*, 'have publiſhed a Proclamation, prohibiting all Pilots from bringing up any ſuch Veſ-'ſels within the Limits of this Government, without Leave firſt obtained for that Pur-'poſe; and have likewiſe recommended to the Government of the Lower Counties, the 'laying their Pilots under proper Reſtrictions, which was accordingly done. We have 'alſo wrote to the Government of *New-Jerſey*, to the ſame Purpoſe.

'A notorious Inſult hath lately been committed in *Newcaſtle* County, by an inconſi-'derable Party of *French* and *Spaniards*, in Conjunction with ſome *Engliſhmen*, Traitors to 'their King and Country, and who, we are informed, have dwelt in this City, and are 'too well acquainted with the Condition of it. After having the Boldneſs to come up 'the whole Length of the Bay, and Part of the River, even within about 18 Miles of 'the Town of *Newcaſtle*, they there plundered two Plantations, the Owner of one of 'them they bound and abuſed, and dangerouſly wounded his Wife with a Muſket Ball, 'carrying off their Negroes and Effects, to a conſiderable Value. On their Return, they 'met with a valuable Ship in the Bay, bound to this Port from *Antigua*, which they 'likewiſe took and carried off. The Circumſtances of this Affair, you will be more 'particularly informed of, from the Depoſitions and Papers we have ordered to be laid 'before you.

'This Inſtance of the Boldneſs of our Enemies, encreaſed by the Succeſs they met 'with, together with ſome Expreſſions which fell from them, importing a thorough 'Knowledege of our defenceleſs State, and a Deſign of ſhortly paying this City a Viſit, 'muſt afford but a melancholy Proſpect to People in our Circumſtances, and demand 'a very particular Attention. The Length and Difficulty of our Bay and River, ſeem 'now no longer to be depended on for our Security, ſince our Enemies, in all Proba-'bility, are but too well acquainted with both. The Terror and Confuſion, the Ruin 'of vaſt Numbers of Families, the Deſtruction of Trade, the Blood-ſhed, Cruelty, and 'other fatal Conſequences, which muſt unavoidably attend the Plundering or Burning 'this City, are too obvious to need a Deſcription. Is it not then abſolutely neceſſary 'for the Security of this ſo valuable a Part of his Majeſty's Dominions, and the Preſer-'vation of the Lives and Properties of the Inhabitants, that ſome Method ſhould be 'fallen upon, to prevent the Evils which threaten us, and to which we lie expoſed? 'We aſſure you, on our Parts, we ſhall be always ready to concur with you in every 'Meaſure that may tend to the Safety, Peace, and Happineſs of the People of *Penn-'ſylvania*. And as a perfect Harmony among the ſeveral Parts of the Government, muſt 'greatly contribute to theſe Ends, you may depend on our ſincere Endeavours to cul-'tivate and promote it to the utmoſt of our Power."

Ordered, That the Speech of the Preſident and Council be again read and conſidered in the Afternoon.

A Petition

A Petition from ſundry Perſons, Inhabitants of the City of *Philadelphia*, ſetting forth, that they contributed largely according to their reſpective Circumſtances, towards the Building a Houſe in the ſaid City, which was intended to be a Charity School, for the Inſtruction of poor Children *gratis* in the Knowledge of the Chriſtian Religion, and in uſeful Literature, and alſo for a Place of Public Worſhip: But the Truſtees not having executed their Truſt, the principal End for which the Petitioners engaged in the Subſcription, and paid their Money, is not in the leaſt Degree anſwered; and therefore praying, that the ſaid Truſtees may be compelled to refund and pay the Money advanced by the Petitioners, as well as their other juſt Demands; or otherwiſe that Leave may be given to bring in a Bill for the Sale of the ſaid Building for that Purpoſe; was preſented to the Houſe and read, and ordered to lie on the Table. 1747. *6th Mo.* 18.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Speech of the Preſident and Council was again read, with the Papers therein referred to, and the farther Conſideration thereof adjourned to To-morrow Morning. *Poſt Meridiem*

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Speech of the Preſident and Council was again read, Paragraph by Paragraph, and conſidered. *6th Mo.* 19.

Ordered, That *Iſaac Norris*, *Iſrael Pemberton*, *John Watſon*, *John Owen* and *John Wright* be a Committee to prepare a Draught of an Anſwer to the ſame, and report it to the Houſe.

The Houſe being informed, that ſeveral of the Innkeepers who billeted the Soldiers, attend the Houſe for an Anſwer to their reſpective Petitions.

Reſolved, That the Petitions of the Innkeepers be taken into Conſideration To-morrow Morning.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Ordered, That *Joſeph Trotter*, *Iſrael Pemberton*, *John Hall*, *Peter Dicks* and *Arthur Patterſon* be a Committee to ſettle the Accounts of the Incidental Charges for the current Year. *Poſt Meridiem.*

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

An Account from *Conrad Weiſer*, of his Expences and Services as Interpreter to this Province in *Indian* Affairs, was laid before the Houſe and read, and referred to the Committee of Incidental Charges. *6th Mo.* 20.

A Petition from *Henry Keppele* and *David Karcher*, Innkeepers of the City of *Philadelphia*, was preſented to the Houſe and read, praying Payment of £. 46 2 10, due to them for Dieting and Lodging of Soldiers. *Ordered to lie on the Table.*

Then the Houſe, according to the Order of the Day, took into Conſideration the Petitions of the ſeveral Innkeepers who billeted the Soldiers; and after a long Debate,

Reſolved, That an Allowance be made to the ſaid Petitioners in Diſcharge of their Accounts.

Ordered, That their ſeveral Accounts be referred to *Iſaac Norris*, *Thomas Leech*, *Abraham Chapman*, *Thomas Worth* and *Arthur Patterſon* for Examination, who are to report thereon to the Houſe.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Ordered, That *Edward Warner* be added to the Committee for Incidental Charges. *Poſt Meridiem.*

The Committee appointed to audit and ſettle the Accounts of the General Loan Office and other Public Accounts, made their Report in Writing, and it was read by Order of the Houſe, and ordered to lie on the Table for the Inſpection and Peruſal of the Members.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

An Account from the Truſtees of the *Province Iſland*, was laid before the Houſe and read; *6th Mo.* 21.

Ordered, That *Hugh Evans*, *John Hall*, *Peter Dicks* and *John Owen* be a Committee to inſpect and examine the ſaid Account, and report thereon to the Houſe.

A Petition from *Charles Brockden* and *James Read*, two of the Truſtees of the Houſe commonly called the New Building, was preſented to the Houſe and read, ſetting forth, that they purpoſe to lay before the Houſe a full and particular Anſwer to the Petition and Complaint of *John Coats* and *Edmund Woolley*; but ſeveral of their Number, whoſe Concurrence they would willingly have therein, being at preſent out of the Province, or at a conſiderable Diſtance, and ſo have had no Opportunity to ſee the Copy of the ſaid Petition, they requeſt the Houſe would indulge them with farther Time for that Purpoſe. *Ordered to lie on the Table.*

Joſeph Trotter is appointed a Signer of the Twenty Shilling Bills, in the Room of *James Mitchell*, deceaſed.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Committee appointed to prepare a Draught of an Anſwer to the Speech of the Preſident and Council, reported the ſame to the Houſe, and it was read by Order, and the further Conſideration thereof was adjourned to To-morrow Morning. *Poſt Meridiem.*

The

1747. *6th Mo.* 21. The Gentlemen appointed to inſpect the Accounts of the Truſtees of the *Province Iſland*, report that they have examined the ſame, and find good Vouchers for the ſeveral Articles; and the ſaid Account was accepted, and approved of.

Adjournment *6th Mo.* 22. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Anſwer to the Speech of the Preſident and Council was again read, Paragraph by Paragraph, and conſidered; and it was ordered to be tranſcribed that it may be ſent up to the Council.

Adjournment *6th Mo.* 24. Then the Houſe adjourned to next Second Day at Three o'Clock, *P. M.*

Adjournment *6th Mo.* 25. The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

The Anſwer to the Speech of the Preſident and Council being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the PRESIDENT *and* COUNCIL,

The Aſſembly's Anſwer to the Preſident and Council's Speech. AS by the Act of Aſſembly paſſed in the 10th Year of the Reign of the late Queen *Ann*, to which you are pleaſed to refer us, the Powers of Legiſlation neceſſary in every Government, are taken from us during the Abſence of our Governor, we agree with you in Opinion, it were to be wiſhed that "Some one Perſon of known Integrity and Abilities had the Adminiſtration:" But ſince this, as you well obſerve, how deſirable ſoever, is not immediately to be expected, the Declarations you are pleaſed to make of your Zeal and ſincere Intentions for the Welfare of the Province, and of executing the Truſt devolved on you, in a juſt and impartial Manner, are very acceptable to us.

The Proclamation you have been pleaſed to iſſue for the Continuance of all Magiſtrates and Officers within this Government, and your requiring them to proceed in the Exerciſe of their reſpective Truſts, as it hath been uſual on like Occaſions, and may have prevented Doubts that otherwiſe would have ariſen, was, we think, a prudent Step, whether, in Strictneſs of Law, ſuch a Proclamation was abſolutely neceſſary or not.

By the Order of the King in Council, which was directed to be laid before us, we obſerve the Act for impoſing a Duty on Perſons convicted of heinous Crimes, *&c.* laſt paſt, is repealed; and by a Letter from our Honourable Proprietor, *Thomas Penn*, Eſq; we are informed, the Report from the Lords for Trade and Plantations to the King in Council, adviſed the Repeal of all the former Acts paſt on like Occaſions: But this, on the kind Interpoſition of our Proprietors, is for the preſent forborn, and the laſt Act only repealed; by which Means the former Act ſtands revived. But ſince Exceptions have alſo been taken againſt this Act, as not conſiſtent with ſome late Acts of Parliament, it will, we think, be neceſſary on the Arrival of our Governor, to reviſe and amend it, ſo as to make it more conformable to the Sentiments of our Superiors.

The Accounts ſent by Governor *Shirley*, on the Report of the Perſons he employed with the *Indians* of the *Six United Nations*, we obſerve, differ much from thoſe given by our *Indian* Interpreter: From which laſt, and, as we take it, moſt authentic Account, it appears, theſe *Indians* have not hitherto joined in a Declaration of War againſt the *French*. And, as there is Reaſon to believe the Expedition againſt *Canada* is now laid aſide, and that the Forces raiſed to that End will be diſbanded, it is not to be expected the *Indians* of the *Six Nations* will involve themſelves farther in the War; and therefore, had we no other Reaſons to induce us, we are of Opinion the Congreſs propoſed in *September* next at *New-York*, can be of little Avail. It is nevertheleſs our Sentiments, conformable to the Practice of this Government ſince its firſt Eſtabliſhment, that great Care ſhould at all Times be taken to preſerve the Friendſhip and good Correſpondence which at preſent ſubſiſts between us and the *Indians:* That the Injuries of which they complain ſhould be inquired into, and ſpeedily redreſſed; and, as it is highly probable they are at this Time in neceſſitous Circumſtances, we think a Preſent ought now to be made them, and ſhall therefore, before our Riſing, make the Proviſion neceſſary to this End; as we ſhall likewiſe do for the Payment of the Interpreter, and Maintenance of the *Indians* expected here during our Receſs. We are further of Opinion, that if, on Inquiry, the Perſons againſt whom the *Indians* complain, appear to be guilty of the Crimes laid to their Charges, that they ought to be proſecuted and puniſhed as the Law in ſuch Caſes directs, beſides being obliged to make the *Indians* Reſtitution, if they are able; and if not able, that Compenſation ſhould be made them out of the Money we intend to provide for Preſents.

The plundering of the two Families in *Newcaſtle* County, is indeed, an Inſtance of the Boldneſs of our Enemies: But we think it will be difficult, if not impoſſible, to prevent ſuch Accidents. The Length of the Bay and River, and the Scatteringneſs of the Settlements below, muſt ever, whilſt thus circumſtanced, render them liable to Depredations. It is equally difficult to guard againſt the Wiles of an Enemy. The Ship which you inform us was taken near the Entrance of our Bay, we obſerve, from the Papers laid before us, was a Veſſel of Force, her Captain and Men willing, and probably able, to have defended her, and to have taken their Enemy; but the Captain, deceived by the Appearance of a Pilot and Pilot Boat known to him, and which he wanted

to

to conduct him up the Bay, suffered the Boat to come along side of his Vessel, and thereby gave an Opportunity to a Number of armed Men which lay hid, to jump on Board, and by this Stratagem, to prevail against superior Force. 1747. 6th Mo. 25.

This rendered the Step you have been pleased to take in respect to Pilots, both prudent and necessary: But what further can be done to prevent the like for the future, we do not see. If any Thing be necessary, your Sentiments in this Affair, will, we think, be as properly laid before the Assembly of the *Three Lower Counties*, in which Government these Accidents happened, as before us.

The Depositions you are pleased to direct to be laid before us, mention the Conjectures of the Persons deposing, that the Privateers intended a Descent somewhere near our Coast; but this, Time hath discovered to be their Mistake. Depositions also mention some of their Threats against this City: But these rather appear to us as so many Bravadoes, than what they either really intended, or had the Power to do. We therefore could have wished you had been pleased to have spared that Part of the Speech, which mentions the defenceless State of the Province, and the Consequences which might attend the Plundering of the City, the Tendency of which, in our Opinion, is, rather to beget or augment Fears, than to prevent those Dangers, which, through the Favour of Providence, we have hitherto escaped. Besides, as this Speech from the President and Council may be sent beyond Sea, if it should fall into the Hands of our Enemies, it may probably induce them to make an Attempt they otherwise would not have thought of. We may also add, that the Defence of the Province hath been a Matter already much controverted; and you cannot be unsensible of the different Sentiments of our late Governor and former Assemblies, nor of the Difficulties they and we have been, and yet are under, on this Account. Although neither they nor we look upon the Province in so defenceless a Condition as it then was, and now is represented: Nor can we understand on what Grounds you are pleased to alledge, the Length and Difficulty of the Bay are now less Security than heretofore. Nothing in the Papers laid before us, carry any Evidence, that we can discover, in Support of this Allegation: And were we under no Restraint, from the Principles professed by most of us, it would not be an easy Task to persuade us, that the Measures which have been proposed for the Defence of the Province, either by erecting Fortifications, or building Ships of War, would be of any real Use to the Province; the Charge which must have arisen would have been great, the Benefit uncertain and small. And if you will be pleased coolly to reflect on the several Applications which have been made to former Assemblies, and to us, for granting of Money on this Account, on the several Expeditions against *Carthagena*, *Cape Breton* and *Canada*, you must have Reason to be of our Opinion, that had they been complied with, it would have brought such a Burden upon the Province, as it would scarce have been able to bear. And, were all these Difficulties removed, the Application to us at this Juncture, is not the best timed, when our Treasury is low; and you, as well as we, know, that if the Restraint put upon us by the Act of Assembly, to which you are pleased to refer us, be binding, it is not in our Power to join in the making of any one Act whatsoever. We desire you will excuse this Freedom, which the Part of your Speech now under Consideration, rendered necessary, and would not otherwise have been our Choice; for we are clearly of Opinion with you, that a perfect Harmony among the several Parts of Government, must greatly contribute to the Safety, Peace, and Happiness of the People of *Pennsylvania:* And we shall be pleased with every Opportunity, consistently with our Judgments, to shew the President and Council how heartily we are disposed to promote and cultivate it."

And the Address being signed by the Speaker, by Order of the House,

Ordered, That *John Hall* and *John Owen* wait upon the President and Council with the same.

The Gentlemen return and report, that they waited upon the President and Council, and delivered the same according to Order.

The Proprietors Letter was again read, and the House taking the same into Consideration, together with the several Papers therein enclosed, are of Opinion, that the Matters thereby referred to, respecting the Danger of having our Laws repealed in other Manner than is provided by the Royal Charter, is of very great Consequence to the Freemen and Inhabitants of this Province, and may greatly affect their Rights and Liberties.

And being moved, it was accordingly

Resolved, That the Thanks of this House be given to the Proprietors for their seasonable Interposition in this Affair; to be signified to them by the Speaker.

A Petition from *Tench Francis*, Esq; was presented to the House and read, setting forth, that he has executed the Office of Attorney General in this Province near Six Years, and according to the best of his Capacity performed his Duty therein, but has received for his Services only £. 150, which he hopes will not be esteemed a Compensation for his Trouble and Expence in carrying on the public Prosecutions for so long a Time;

1747. 6th Mo. 25. that from the Increaſe of Inhabitants and other Cauſes, Offences have ſo multiplied, that unuſual Care and Diligence have been required in the Petitioner, and a great Part of his Time unavoidbly ſpent in Attendance on public Trials, beyond what was formerly neceſſary; and praying that the Houſe would take the Premiſes into Conſideration, and make him ſuch Allowance for his paſt Services as to them in Juſtice ſhall ſeem meet. *Ordered to lie on the Table.*

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Petitions relating to the *New Building* were referred to the Conſideration of ſome future Aſſembly.

The Petition of *Peter Bard* was again read, and referred to the Committee of Incidental Charges.

The Petition of *Tench Francis*, Eſq; was again read, and referred to further Conſideration.

Adjournment 6th Mo. 26. Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

A Petition from *Thomas Græme* and *William Till*, Eſqrs; two of the Judges of the Supreme Court, ſetting forth, that the Buſineſs of the ſaid Court is from Year to Year conſiderably increaſed, ſo as to take up much more of their Time and Attention than heretofore, and requeſting therefore an Augmentation of the Salaries uſually allowed them; was preſented to the Houſe, and read. *Ordered to lie on the Table.*

It appearing by the Account of the Truſtees of the *Province Iſland*, that there is a Balance due from them to the Province, of £. 99 4 6½; they are ordered to pay the ſame into the Hands of the Provincial Treaſurer, purſuant to the Law.

Reſolved, That a Sum not exceeding *Four Hundred Pounds* be allowed as a Preſent to all the *Indians*.

Ordered, That the Treaſurer make reaſonable Proviſion for the Entertainment of the *Delaware Indians* expected here.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to examine the Agent's Accounts report, that they have made ſome Progreſs therein, but cannot complete the ſame for Want of ſome Information of a particular Article, which may be had againſt another Time.

The Report of the Committee of Public Accounts, being approved and allowed by the Houſe, was ordered to be inſerted in the Minutes, and follows in thoſe Words, *viz.*

WE, *the* COMMITTEE *appointed by Order of Aſſembly to ſettle the Accounts of the* GENERAL LOAN OFFICE *of the Province of* Pennſylvania, REPORT,

Report of the Committee appointed to ſettle the General Loan Office Accounts.

THAT, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Aſſembly for emitting Paper Bills, and now remaining in the Loan Office undiſcharged, we find there are principal Sums or Quotas thereon, to become due and payable to the Truſtees, the Sum of - - £ 44,839 2 6

That a Liſt of 251 Mortgage Deeds have been taken, Part on the ſecond £ 80,000 and Part on the firſt Re-emiſſion of ditto, amounting to — — — 15,576 5 0

That there are Quotas outſtanding, and now due on all the ſaid Mortgage Deeds, as by a Liſt exhibited by the Truſtees to the Committee, and by them examined, amounting to the Sum of — — — £ 14,556 1 8

That ſeveral Sums lent the Public, to be repaid into the Hands of the Truſtees, are ſtill outſtanding, viz.

The whole Sum appropriated by the ſecond £ 30,000 Act, to build a State-Houſe,	£ 2000 0 0	
Part of the Sum lent the City of Philadelphia for building an Alms-Houſe,	312 10 0	
Part of the Sum lent the Mayor and Commonalty of the City of Philadelphia by the firſt £ 30,000 Act,	156 0 0	
Part of the Sum put into the Hands of the Provincial Treaſurer,	200 0 0	
	£ 2,668 10 0	
		£ 77,639 19 2
Balance in the Hands of the Truſtees,		2,360 0 10
Makes the Sum current in the Province,		£ 80,000 0 0

That the Truſtees, upon Account of Intereſt, Charge the Province with the Balance of laſt Year's Account, ſettled with the Committee, 6th Month 20, 1746, — £ 759 0 5¼

And with the Intereſt outſtanding on all the Mortgage Deeds, amounting, as per Liſt, to	6,556 7 7
And for ſundry Orders for Aſſembly Mens Wages,	477 15 0
Paid Rees Meredith, for a Bill of Exchange for £ 100 Sterling, for the Agent's Salary,	175 0 0
Paid Benjamin Franklin, for Printing the laſt Paper Money,	181 17 10
Paid James Morris, for Signing Paper Money,	33 15 0
Paid John Hall, for Signing Paper Money,	33 15 0
Paid Thomas Leech, for the Stamps,	10 0 0
Paid Lyn-Ford Lardner, for the Proprietors, in Purſuance of an Act of Aſſembly,	130 0 0
Paid Thomas Leech towards finiſhing the State-Houſe,	100 3 9
Paid James Mitchell's Executors, for his Signing 24 Thouſand ſmall Bills, at 15/ each Thouſand,	18 0 0
Paid James Morris in full, for Signing Paper Money,	17 4 4
Paid Joſeph Harvey in full, for Signing Paper Money,	35 4 4
Paid Lyn-Ford Lardner in Diſcharge of the Aſſembly's Order for £ 500 to the Governor,	500 0 0
Paid Richard Peters, in Diſcharge of an other Order of Aſſembly for £ 500 to the Governor,	500 0 0
Carried over	£ 9,528 3 3¼

Brought

1747. 6th Mo. 26.

Brought over	£ 9,528	3	3¼
Paid Benjamin Franklin, for the Statutes at Large, sent for by Order, and for the Use of the House,	57	15	0
Paid the Trustees Salary for the current Year,	550	0	0
For an Allowance by Law for 179 Mortgage Deeds, as per Charles Brockden's List,	179	0	0
For an Allowance due by Law for Exchanging £ 1182 of new Bills for old, at £ 27. 10s for each ten Thousand Pounds,	3	5	0
	£ 10,318	3	3¼

That the Trustees, upon Account of Interest, Credit the Province for Sundries, viz.

By Interest outstanding at last Settlement,	£ 6,051	18	10¼
By Interest arising on all the Mortgage Deeds this current Year,	2,783	5	0
By broken Interest received this Year,	921	12	5
	£ 9,756	16	3¼
Balance due to the Trustees,	561	6	11½
	£ 10,318	3	3¼

WE, *the* COMMITTEE *appointed by Order of Assembly to audit and settle the Public Accounts*, REPORT,

Report of the Committee appointed to settle the Public Accounts.

THAT we have examined the Provincial Treasurer's Account, and find that he Credits the Province,

By the Balance of last Account settled with the Committee, 6th Month 20, 1746,	£ 609	6	1	
By Cash received of Judah Foulke, Collector of Excise for the County and City of Philadelphia,	1,605	0	2	
By Cash received of William Atkinson, Collector of Excise for the County of Bucks,	164	10	0	
By Cash received of Jeremiah Starr, Collector of Excise for the County of Chester,	232	16	6	
By Cash received of Arthur Patterson, Collector of Excise for the County of Lancaster,	198	17	4	
				£ 2,810 10 1

That he Charges the Province with the following Articles, viz.

Paid Jacob Shoemaker, per Order of Assembly,	2	8	0
Paid James Read, per Order,	10	0	0
Paid Samuel Kirk, per Order,	8	0	0
Paid Charles Stow, per Order,	2	15	0
Paid Edward Drury, Express to Virginia,	15	0	0
Paid Benjamin Franklin, per Order,	136	16	9
Paid James Morris, per Order,	7	10	0
Paid Thomas Bourden, Express to New-York,	4	0	0
Paid John Murphy, Express to Annapolis,	6	0	0
Paid Richard Peters, per Order,	56	2	6
Paid Edward Warner, per Order,	7	10	0
Paid John Kinsey, per Order, dated 23d 6th Month, 1745,	150	0	0
Paid Thomas Bourden, per Order,	16	6	9
Paid John Kinsey, for Thomas Bourden, per Order,	9	14	10
Paid John Kinsey, for Benjamin Franklin, per Order,	12	11	4
Paid Abraham Chapman, per Order,	6	10	0
Paid Arthur Patterson, for John Sterrett, per Order,	3	1	0
Paid the Honourable George Thomas, Esq; for the King's Use, per Order,	450	0	0
Paid Tench Francis, per Order,	50	0	0
Paid William Till, per Order,	50	0	0
Paid Abraham Shelley, per Order,	3	3	0
Paid William Till, per Order, his Account for Boarding French Prisoners,	26	19	6
Paid John Kinsey, per Order,	150	0	0
Paid Hugh Meredith, Express to New York,	5	0	0
Paid the Honourable George Thomas, Esq; per Order, dated 6th Month, the 23d, 1746,	500	0	0
Paid Edward Drury, Express to Virginia,	15	0	0
Paid the Honourable George Thomas, Esq; for the King's Use, per Order,	211	0	8½
Paid John Kinsey, per Order,	80	0	0
Paid Thomas Græme, per Order,	50	0	0
Paid Abraham Shelley, for Dieting Spanish Prisoners,	18	18	0
	£ 2,064	7	4½
Commissions on £ 2064 7 4½, at 5 per Cent.	103	4	4
Balance in the Treasurer's Hands, due to the Province,	642	18	4½
			£ 2,810 10 1

That we have examined the Account of Judah Foulke, Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province,

By the Balance of Account settled with the Committee last Year,	£ 225	7	3	
By Cash received of Margaret Harper, one of the Persons returned a bad Debt, last Year	1	6	8	
By the Amount of Excise from 1st Day 4th Month, 1746, to the 1st Day 4th Month, 1747,	1938	17	4	
By Cash received of sundry Persons for Fines, as per List,	32	10	4	
				£ 2,198 1 7
That he Charges the Province with his Commissions on £ 1971 7 8, at 5 per Cent,	£ 98	11	4	
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times, per Receipts,	1,605	0	2	
Balance due to the Province,	494	10	1	
				£ 2,198 1 7

That we have examined the Accounts of William Atkinson, Collector of Excise for the County of Bucks, and find that he Credits the Province,

By the Balance of Account settled with the Committee last Year,	£ 102	5	10	
By the Amount of Excise from 4th Month 1st, 1746, to 4th Month 1st, 1747,	157	4	2	
				£ 259 10 0
That he Charges the Province with the following Articles, viz.				
To Cash paid the Provincial Treasurer since the last Settlement, per Receipts,	£ 164	10	0	
Commissions on £ 164 10 0, at 10 per Cent,	16	9	0	
Balance due to the Province,	78	11	0	
				£ 259 10 0

That we have examined the Account of Jeremiah Starr, Collector of Excise for the County of Chester, and find that he Credits the Province,

By the Balance of Account settled with the Committee last Year,	£ 255	0	3½	
By the Amount of Entries from 4th Month 1st, 1746, to 4th Month 1st, 1747,	273	4	0	
Cr. Carried over				528 4 3½

Cr. Brought

					Cr. Brought over,			£ 528	4 3½
1747. 6th Mo. 26.	That he Charges the Province with the following Articles, viz.								
	To Caſh paid Michael Lightfoot, Provincial Treaſurer, ſince the laſt Settlement, per Receipts,					£ 232	16 6		
	Commiſſions on £ 232 16 6, at 10 per Cent,						23 5 7½		
	Balance due to the Province,						272 2 2		
								£ 528	4 3½
	That we have examined the Accounts of Arthur Patterſon, Collector of Exciſe for the County of Lancaſter, and find that he Credits the Province,								
	By the Balance of Account ſettled with the Committee laſt Year,						6 0 7		
	By the Amount of Exciſe from 4th Month 1ſt, 1745, to 4th Month 1ſt, 1746,						220 2 0		
								£ 226	2 7
	That he Charges the Province with the following Articles, viz.								
	To Caſh paid Michael Lightfoot, Provincial Treaſurer, ſince the laſt Settlement, per Receipts,						198 17 4		
	To Caſh paid for Advertiſements at the Commencement of the Exciſe Act,						0 15 0		
	Commiſſions on £ 198 17 4, at 10 per Cent,						19 17 8½		
	Balance due to the Province for Exciſe, from 4th Month 1ſt, 1745, to 4th Month 1ſt, 1746,						6 12 6½		
								£ 226	2 7
	And that ſaid Arthur Patterſon hath not rendered any Account for this preſent Year's Exciſe, which he is ſtill indebted for.								
	We do further Report, that we have ſunk and deſtroyed of the old Bills of Credit of the ſeveral Emiſſions, purſuant to the Direction of the £ 80,000 Act,					£	377 15 0		
	And ſunk by former Committees, the Sum of						65,200 12 6		
	There remains to be ſunk to complete all the Bills of the ſeveral Emiſſions before the £ 80,000 Act, the Sum of						3,311 7 6		
								£ 68,889	15 0
	We have alſo ſunk and deſtroyed of the Bills emitted by Virtue of the £ 80,000 Act, in Purſuance of an Act of Aſſembly, the Sum of					£	804 10 0		
	And ſunk by former Committees, the Sum of						306 3 6		
								£ 1,110	13 6

Submitted to the Correction of the Houſe, 6th Month 20, 1747, *by*

JAMES MORRIS, ABRAHAM CHAPMAN,
EDWARD WARNER, JOHN OWEN."

The Committee appointed to examine the Accounts of the Innkeepers, reported on them to the Houſe, who taking the ſame into Conſideration, agreed to make ſuch Allowances as appeared reaſonable.

Then the Houſe proceeded to conſider the Services of public Officers, *&c.* and to ſettle the ſeveral Salaries and Allowances, together with the Accounts exhibited by divers Perſons for Services done the Public, which had been examined by the Committee of Incidental Charges; and Orders for Payment of the ſame being ſigned by the Speaker,

The Houſe adjourned to the Thirtieth of *September* next.

INCIDENTAL CHARGES.

Incidental Charges,	To *John Kinſey*, Eſq; Chief Judge of the Supreme Court,	200	0	0
	To *Thomas Græme*, Eſq; another of the Judges,	50	0	0
	To *William Till*, Eſq; another of the Judges,	50	0	0
	To *Richard Patridge*, Eſq; his Salary as Agent, £100 Sterling,	185	0	0
	To the Members of Aſſembly, for their Attendance, at 5*ſ. per Diem*, the Groſs Sum,	200	16	6
	To *Tench Francis*, Eſq; Attorney General, for his Service the current Year,	70	0	0
	To *James Morris*, for 24 Days Attendance on the Committee of Accounts, and burning Paper Money, at 5*ſ.* per Day,	6	0	0
	To *Edward Warner*, for 23 Days Ditto,	5	15	0
	To *Abraham Chapman*, for 20 Days, Ditto,	5	0	0
	To *John Owen*, 20 Days Ditto,	5	0	0
	To *Richard Peters*, Secretary, his Salary as Clerk of the Council,	15	0	0
	To Ditto, for other Services, *&c.*	15	1	0
	To *Thomas Griffitts*, Eſq; Keeper of the Great Seal, his Account,	11	5	0
	To *Benjamin Franklin*, Clerk of the Houſe, his Account, and for Poſtage of Letters	67	14	4
	To the Truſtees of the *Province Iſland*,	45	0	0
	To Doctor *Thomas Bond*, his Account, for attending *Spaniards*,	22	10	0
	To *Conrad Weiſer*, for his Trouble and Expence on *Indian* Affairs,	43	8	0
	To *Samuel Kirk*, his Salary as Serjeant,	8	0	0
	To Ditto, Account for a Bruſh, *&c.* for Uſe of the State-houſe,	0	11	8
	To *Charles Stow*, Doorkeeper to the Council,	5	2	0
	To *Thomas Burden*, Doorkeeper, for his Attendance, and other Services,	10	16	11
	To *Lyn-Ford Lardner*, Keeper of the Great Seal, his Account,	1	4	0
	To *Marcus Hewlings*, as Interpreter to the *Indians*,	3	10	0
	To the Owners of the Ship *Marlborough*, for Dieting and Expences on ſeveral *French* Priſoners, allowed in the Whole	25	0	0
		£ 1051	14	5

At

At an ASSEMBLY held in Philadelphia, the Fourteenth Day of October, Anno Domini 1747.

BY the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen are duly chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.*

For *Philadelphia* County.
John Kinsey,
Thomas Leech,
Isaac Norris,
Edward Warner,
Joseph Trotter,
James Morris,
Owen Evans,
Hugh Evans.

Bucks County.
Mahlon Kirkbride,
Cephas Child,
Joseph Hampton,
Derick Hogeland,
Richard Walker,
John Watson,
Abraham Chapman,
John Hall.

Chester County.
Samuel Levis,
Francis Yarnal,
George Ashbridge,
Thomas Worth,
Peter Dicks,
John Owen,
John Davis,
Thomas Chandler.

For *Philadelphia* City.
Oswald Peele,
Israel Pemberton,
} Burgesses.

Lancaster County.
John Wright, *James Webb,*
Arthur Patterson, *Peter Worrall.*

And a Quorum of the Representatives being met, according to the Charter of Privileges and Laws of this Province, proceeded to the Choice of a Speaker, and *John Kinsey*, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Thomas Leech*, *Oswald Peele*, *Mahlon Kirkbride*, *Francis Yarnal* and *Arthur Patterson* wait upon the President and Council, and acquaint them, that a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker; and desire to know when the Board will be pleased to receive the House with their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed Yesternight to wait on the President and Council with the Message of the House, report, that they delivered the same to the President according to Order; who was pleased to answer, that he should presently meet the Council, and would acquaint them therewith. Oct. 15.

A Message from the President and Council, by the Secretary, *viz.*

Mr. Speaker,

The President and Council are ready to receive the House immediately, or when they think proper.

The Secretary being withdrawn,

The Speaker first, and then the several Members of the House, took the Qualification, and subscribed the Declaration by Law required to be taken and subscribed by the Members of Assembly.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House for the ensuing Year.

Resolved, That *Thomas Burden* be Doorkeeper to this House for the ensuing Year.

Then the Speaker, with the whole House, waited on the President and Council;

And being returned, the Speaker resumed the Chair, and reported, that he had, with the whole House, waited on the President and Council, and acquainted them, that the Representatives of the Freemen of this Province, in Pursuance of the Charter and Laws of the Province, met Yesterday, and at their Meeting had been pleased to make Choice of him for their Speaker; that the House had this Day taken the Qualification by Law directed; and that, as by the Departure of our late Governor the Powers of Government are devolved upon the President and Council, if they have any Thing to lay before the House which may contribute to the Peace and Prosperity of the Province, wherein the Concurrence of the House is necessary, they are ready to receive it. To which the President and Council had been pleased to answer, they had something to lay before the House, which they would communicate by Message.

Resolved, That *Richard Patridge* be Agent of this Province at the Court of *Great-Britain* for the ensuing Year.

Ordered, That *Thomas Leech* and *Israel Pemberton* be, with the Speaker, a Committee of Correspondence.

1747. Oct. 15. *Ordered*, That *Edward Warner*, *Oſwald Peele*, *James Morris*, *Abraham Chapman*, *John Owen* and *James Webb* be a Committee to audit and ſettle the Accounts of the General Loan Office, and other Public Accounts, and to ſink and deſtroy the old Bills of Credit, received in Exchange, purſuant to the laſt Paper Money Acts; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That *Iſrael Pemberton*, *James Morris*, *Cephas Child*, *Samuel Levis* and *Arthur Patterſon* be a Committee of Aggrievances for the enſuing Year, and they have Power to ſend for Perſons, Papers and Records.

Ordered, That the Minutes be printed, and that *Thomas Leech* and *Iſrael Pemberton* be a Committee to reviſe them before they are printed.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. *John Hall*, returned a Repreſentative for the County of *Bucks*, appeared in the Houſe, and took and ſubſcribed the Qualification by Law appointed to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Oct. 16. The Preſident and Council ſent down a written Meſſage to the Houſe, together with ſeveral Papers therein referred to, which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Preſident and Council to the Aſſembly.

'WE ſhall ever think it a Duty incumbent on us to lay before you ſuch Matters wherein your Concurrence is neceſſary, as may affect or promote the Peace and Proſperity of the People of this Province: And as, upon your waiting upon us with your Speaker, you expreſſed your Readineſs to receive any Thing of that Kind, we have thought proper to inform you of the following Tranſactions:

'About the 14th of *July* laſt a Party of *French* and *Spaniards*, in Conjunction with ſome *Engliſhmen*, ſome of whom, we are informed, have formerly dwelt in this City, came up in a Pilot Boat within about 18 Miles of the Town of *Newcaſtle*, plundered two Plantations, bound and abuſed the Owner of one of them, and wounded his Wife with a Muſket Ball, carrying off Negroes and Effects to a conſiderable Value. On their Return they met with a valuable Ship in the Bay, bound to this Port from *Antigua*, which they likewiſe took and carried off. Since that, on the 14th of *September* laſt, we received Information by Expreſs from *Lewes*, that on *Tueſday*, the 8th of *September*, two Sloops went up the Bay, with a Pilot Boat tending on each; on *Wedneſday* Evening they returned, and anchored in *Lewes* Road, which kept the Watch at *Lewes* upon Duty Day and Night: That one of the ſaid Veſſels, in Sight of the People at *Lewes*, took a Ship outward bound, with her Pilot Boat, and another Ship next Morning coming in; and was, at the Time of ſending away that Expreſs, in Chace of a Third, which, it was feared, would fall into their Hands in an Hour or two. It appeared afterwards, that the Privateer, mentioned in the ſaid Expreſs, belong'd to *Cape François*: That ſhe carried fourteen Carriage Guns, ſixteen Swivels, and came out with about one Hundred and Seventy Men; that ſhe had taken in that Cruize no leſs than ten Prizes. Theſe Facts, with the Circumſtances attending them, will appear more particularly in the Depoſitions and Papers we have ordered to be laid before you.

'From the Succeſs which attends our Enemies by Cruizing in our Bay without Riſk or Oppoſition, it may reaſonably be expected that they will continue their Depredations in the Spring, and in all Likelihood block up the Trade of this flouriſhing Colony; a Loſs, which we apprehend will be ſenſibly felt by all Sorts of People. Trade ſupports the Merchant, the Planter, the Artificer. Every one in the Country, as well as in the Town, will be alike involved in the Loſs of Commerce, as they derive from thence many of the Neceſſaries and Conveniences of Life.—A Concern then, ſo intereſting to Men of all Degrees amongſt us, well deſerves your moſt ſerious Conſideration.

'The Boldneſs of our Enemies, and the Knowledge they have gained of our Bay and River, gives us great Reaſon to apprehend an Attack on this City, unleſs ſome Proviſion be ſpeedily made to diſcourage them from the Attempt, or to diſappoint them in it.

'As we can't doubt but you will think the Protection of this City, and the Trade of it, highly worth your Care, you will wiſely provide for both. If a Law was wanting for theſe Purpoſes, the People of *Pennſylvania* would be unhappy indeed, ſince there is no Legiſlative Power at preſent in the Government. But we apprehend, that as the Public Money is in your Diſpoſal, no further Law is neceſſary.

'Some *Spaniſh* Priſoners, now in the Work Houſe, waiting for an Opportunity to be ſhipped off, are in Want of Cloaths and other Neceſſaries. As this Government hath always behaved with Humanity and Kindneſs to Priſoners, you will no doubt provide for the Expences neceſſary on this Occaſion.

October 16, 1747. *ANTHONY PALMER*, Preſident."

Iſaac

Isaac Norris, returned a Representative for the County of *Philadelphia*, appeared in the House, and took and subscribed the Qualifications by Law appointed to be taken by Members of Assembly, and thereupon took his Seat in the House. 1747. Oct. 16.

The House being informed, that Application had been made to *Anthony Newhouse*, Paper-maker, who made the Paper for the Currency of this Province, that he would privately make a Parcel of the same Kind of Paper, in order to the Counterfeiting of the said Currency, which he refused, and has honestly given Notice of the Design to a Trustee of the Loan Office;

Resolved, That the Trustees be empowered to reward the Honesty of the said Paper-maker with such Sum as they shall think proper, not exceeding Ten Pounds; and the like to any other Paper-maker, who may make the like Discoveries hereafter.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Message from the President and Council, with the Papers therein referred to, were again read, and considered. *Post Meridiem*

Ordered, That *James Morris*, *Israel Pemberton*, *John Hall*, *Samuel Levis* and *Arthur Patterson* be a Committee to prepare a Draught of an Answer to the said Message, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of an Answer to the Message of the President and Council, reported the same to the House, and it was read, and considered, and ordered to be transcribed, that it may be sent up to the President and Council. Oct. 17.

Which being accordingly done, it was again read, and follows in these Words, *viz.*

May it please the PRESIDENT *and* COUNCIL,

WHATEVER Matters you shall be pleased at any Time to lay before us, wherein our Concurrence is necessary, and which we shall conceive to have a Tendency to promote the Peace and Prosperity of the Province, will ever be chearfully received and deliberated on by us. The Assembly's Answer to the President and Council's Message.

The Transactions you are pleased to mention in the former Part of your Message, we observe, is only an abridged Account of what was laid before the last Assembly. These Accidents, and those which after happened, appear to us to be chiefly owing to like Causes, *viz.* the Misconduct of the Pilots residing thereaway, without whose Assistance it is not probable these Attempts would have been made. And sure it can be no great Difficulty for the Governments adjoining to the Bay, to oblige their Pilots to such Regulations as may prevent like Accidents for the future.

As to any Enterprise intended against the City, we hope there is no Danger; and if there be, one of the best Expedients to prevent it, will, we think, be to check every Appearance of illicit Trade, which, under Colour of Flags of Truce, or otherwise, may be attempted to be carried on; for if any Acquaintance be gained of our Bay and River, it is most likely to happen by this Means.

As the Members of the present Assembly are mostly the same with the last, and their Sentiments the same as at that Time, it will be unnecessary, we think, to add to what is before contained in Answer to your present Message, further than to refer to their last Address, in Answer to the Speech delivered to them by the President in Council.

The Circumstances of the *Spanish* Prisoners in this City, which you are pleased to recommend to us, have been under our Consideration. We hope Care will be taken to ship them off with as much Speed as can be; and in the mean Time, we concur in Opinion with the President and Council, that they ought to be treated with Humanity and Kindness; and we shall make the Provision necessary to this End."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Edward Warner* and *James Morris* carry up the same to the President and Council, and acquaint them, that the House intends to adjourn this Day to the 16th of the next Third Month, unless they have any Thing to lay before the House that may require a longer Stay.

Resolved, That the Treasurer be impowered to furnish the *Spanish* Prisoners with such Cloathing and other Necessaries as the Season and their Circumstances require.

The Gentlemen return and report, that they waited on the President at his House, and delivered him the Message according to Order, who was pleased to say, that he expected the Council would have met this Morning at his House, but they had not; that he would lay the Message before them when they did meet; and had himself no Objection to the proposed Time of Adjournment.

Then the House adjourned to the Sixteenth Day of the next Third Month. Adjournment

THE President and Council having by their Writs directed to the Sheriffs of the respective Counties ordered the Assembly to be summoned, to meet this Day on Affairs of Importance, a Quorum met accordingly. *Nov.* 23.

Ordered, That *Joseph Trotter* and *James Morris* wait upon the President and Council, and

1747. *Nov.* 23. and acquaint them, that the Houſe is met according to their Summons, and ready to receive any Thing they may have to lay before them, and alſo deſire a Sight of the Writs by which they were ſummoned.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Nov. 24. The Gentlemen appointed Yeſternight to wait on the Preſident and Council with the Meſſage of the Houſe, report, that they delivered the ſame to the Preſident according to Order, and that the Preſident was pleaſed to ſay, the Writs ſhould be ſent down, together with a Meſſage to the Houſe.

The Preſident and Council ſent down by the Secretary a Meſſage to the Houſe, together with ſeveral Papers referred to therein, and one of the Writs by which the Houſe was ſummoned; which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Preſident and Council to the Aſſembly.

'YOU are called together at this Time in Purſuance of certain Inſtructions from his Grace the Duke of *Newcaſtle*, dated the 30th *May* laſt, ſignifying, "That it was "his Majeſty's Pleaſure, that Governor *Shirley* ſhould immediately appoint a Meeting "with Commodore *Knowles*, at ſuch Place as ſhould be agreed upon, and conſider with "him the preſent State of *Nova Scotia* and *Louiſburgh*, and take the proper Mea"ſures for the Defence of thoſe Places. And as it is his Majeſty's Intention that the "*Americans* ſhould be immediately diſcharged, except only ſuch few as are mentioned: "And that when Governor *Shirley* and Mr. *Knowles* ſhall have met, and fully conſidered "the Service to be undertaken in the Manner directed, and ſhall have agreed what "Number of *Americans* it will be neceſſary to keep in Pay for that Purpoſe, it is his "Majeſty's Pleaſure, that he ſhould procure an Account of the whole Expence on Ac"count of the *American* Troops, from the Time of their being levied to the Time of "their Diſcharge, and when the ſame ſhall be adjuſted and liquidated, to tranſmit it "to his Grace, with the proper Vouchers from the ſeveral Governors, that it may be "laid before Parliament, to the End that Proviſion may be made for the Payment; and "in the mean Time, in order to prevent any Complaint amongſt the Men that have "been inliſted (as well thoſe that ſhall be diſcharged, as thoſe that ſhall continue in "Service) for Want of immediate Pay, to recommend it to the Governors of the Pro"vinces where theſe Levies have been made, to procure Credit from the reſpective Aſ"ſemblies for that Purpoſe, which his Majeſty hopes may be done without Difficulty."

'In Obedience to his Majeſty's Commands we do therefore moſt earneſtly recommend 'it to you, that you would immediately provide Money or Credit for the Payment of 'ſuch Sums as ſhall remain due to the Forces raiſed in this Government at the Time of 'their Diſcharge, an Eſtimate whereof ſent us by Governor *Clinton*, we have ordered 'to be laid before you, together with the ſeveral Letters and Papers we have received 'from Governor *Shirley*, Admiral *Knowles* and Governor *Clinton*, on this Subject.

'You will perceive, Gentlemen, by the above Inſtructions, that an Account muſt be 'prepared of the whole Expence of the *Pennſylvania* Companies, from the Time of their 'being levied to the Time of their Diſcharge: You will therefore furniſh us with the 'Votes and Minutes of your Houſe, and ſuch other Materials in your Power as ſhall 'be neceſſary, and that with all the Diſpatch poſſible, ſo that they may be tranſmitted 'to his Majeſty Time enough to be laid before the Parliament at their next Seſſion.

'As his Majeſty hopes what is demanded will be done without Difficulty, you will, 'no doubt, conſider of the moſt effectual Ways to anſwer his Majeſty's Expectations.

Nov. 24, 1747 *ANTHONY PALMER*, Preſident."

The further Conſideration of the Meſſage, and Papers accompanying it, was referred to the Afternoon.

A Petition from *James Whitehead*, Keeper of the Workhouſe, praying Payment of an Account for Dieting *Spaniſh* Priſoners, was preſented to the Houſe and read, and ordered to lie on the Table.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Meſſage from the Preſident and Council, with the Papers therein referred to, were again read, and the further Conſideration thereof adjourned to To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Nov. 25. The Meſſage from the Preſident and Council was again read, and conſidered;

Ordered, That *Thomas Leech* and *Iſaac Norris* ſearch the Minutes, and report to the Houſe in the Afternoon, what Sums of Money have already been given by the Houſe for the King's Uſe ſince the Expedition to *Canada* was firſt ſet on foot; and the farther Conſideration of the Meſſage is adjourned to the Afternoon.

A Petition from a great Number of the Inhabitants of the City of *Philadelphia*, ſetting forth the great Danger they apprehend the ſaid City to be in, as well as the Trade of the whole Province, from the Depredations of the Enemy; and praying that the Houſe, who have the ſole Diſpoſal of the Public Money, would take the moſt effectual Meaſures

for

for the Protection and Preservation of both; was presented to the House and read, and ordered to lie on the Table. 1747. Nov. 25.

The Petition and Account of *James Whitehead*, was again read and considered;

Ordered, That *James Morris*, *Edward Warner* and *Joseph Trotter* examine the said Account, and report thereon to the House.

A Petition from *James Mather*, Innkeeper of *Chester*, praying an Allowance for his Expence and Trouble in supporting and nursing sundry sick Soldiers, was presented to the House and read, and ordered to lie on the Table.

A Petition from *David Cowpland*, Innkeeper of *Chester*, praying an Allowance for his Expence and Trouble in supporting and nursing sundry sick Soldiers, was presented to the House and read, and ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

The Committee appointed to enquire what Sums have been already given by the Assembly of this Province to the King's Use, since the Expedition was set on foot against *Canada*, made the following Report, *viz.*

An Account of Money given to the King's Use by the Assembly, viz.

1746. 4*th Month.*	Given by an Act of Assembly for the King's Use,	£ 5000	0	0
1746. 8*th Month* 17.	Given to the King's Use by Order of Assembly,	450	0	0
1747.	Paid by the Treasurer to Governor *George Thomas*, as per Account settled with him 1747,	211	0	8½
1747.	Paid by Order of the House to several Innholders for dieting the Soldiers, *&c.*	552	16	11
		£ 6213	17	7½

There are several other Demands of the Innholders, on Account of dieting and taking Care of the sick Men, not yet allowed by the House.

The further Consideration of the Message of the President and Council, was adjourned to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *Nov.* 26.

The House resumed the Consideration of the Message from the President and Council, and

Ordered, That *Isaac Norris*, *Thomas Leech*, *Oswald Peele*, *John Hall*, *John Owen* and *Peter Worrall* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

The President and Council sent down another written Message to the House, with several Papers referred to therein, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

'YOU will see by the Papers that are ordered to be laid before you, that we have had a Treaty with some *Indian* Warriors from *Ohio*, who came to Town for that Purpose. By them we are given to understand, that the Tribe of *Indians*, being a Mixture of the *Six Nations*, to which these Warriors belong, have actually resolved to adhere to their Brethren the *English* against the *French*, and propose to kindle a great Fire at *Ohio* in the Spring, to which they have invited the *Indians* living round about them to join with them in these Resolutions. This is an extraordinary Event in our Favour, which ought to be improved to the greatest Advantage. From the Situation of these People, being mostly within the Limits of this Government, they are capable of doing, or preventing the greatest Mischiefs; and from what passed at a Conversation between them and the Interpreter, there is Reason to apprehend, that without Encouragement from this Province, they may be seduced by the *French* to go over to their Side, whereby the Lives of the Back Inhabitants will be in the utmost Danger. These Considerations have induced us to give them the Goods mentioned in the Account delivered you herewith, and to promise to send the Interpreter with a larger Present to their Fire at *Ohio* in the Spring: You will therefore take Care at this Session to come to such Resolves as will enable us to make good our Engagements. A Message from the President and Council to the Assembly.

'The last Post brought the President a Letter from Governor *Shirley*, dated at *Boston* the 9th of *November* instant, purporting, "That at a Meeting of Commissioners from "the Government of the *Massachusetts Bay*, *New-York* and *Connecticut*, at the City of "*New-York*, in *September* last, it was agreed, in Behalf of the said Governments, that "an Expedition should be undertaken against the *French* Fort at *Crown-Point*: That "certain Measures should be used to retain and confirm the *Indians* of the *Six Nations*, "and others in Alliance with them, in the Interests of the *English* Governments; and "other Matters were agreed upon for the Defence of the *English* Colonies against the "*French* and *Indian* Enemy: And also, that there should be another Meeting of the "Commissioners about the Middle of *December* next; and that in the mean Time all

1747. Nov. 26. " the other Governments, from *New-Hampſhire* to *Virginia*, ſhould be invited, and " earneſtly urged to join in this public and important Undertaking, wherein His Ma- " jeſty's Honour, and the Intereſt of all his Subjects in *North America*, are ſo deeply " concerned. The Agreement of the Commiſſioners was laid before the General Aſſem- " bly of that Province in their late Seſſion; but finding ſo thin an Appearance of the " Repreſentatives, and moſt of the principal Members abſent, Mr. *Shirley* judged it beſt " to adjourn the Aſſembly to *Tueſday*, the 17th Inſtant. This obliged him to entreat " the Government of *Pennſylvania* to order the public Buſineſs, ſo as that the Aſſembly " may be able to meet about the Time when we may expect to know their Reſolutions " uponthis Affair."

' As the Aſſembly of the Province of the *Maſſachuſetts Bay* is ſuppoſed to be now ' ſitting, and we may every Day expect to receive their Reſolves, in order to be laid ' before you for your Sentiments and Concurrence; and as we cannot think but you will ' heartily join in promoting every Scheme that ſhall appear to contribute to retain and ' increaſe the Friendſhip of the *Indians*, you will readily comply with Mr. *Shirley's* ' Requeſt.

Nov. 25, 1747. *ANTHONY PALMER*, Preſident."

Ordered, That the further Conſideration of the Meſſage be referred to the Afternoon.

The Committee appointed to examine the Account of *James Whitehead*, report, that they find a Balance due to the ſaid *Whitehead* of £ 46 11 0.

Ordered, That an Order on the Treaſurer iſſue under the Hand of the Speaker, for the Payment of the ſame.

The Petition from a Number of the Inhabitants of the City of *Philadelphia* was again read, and the further Conſideration thereof adjourned to To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Nov. 27. The Committee appointed to prepare a Draught of an Anſwer to the firſt Meſſage from the Preſident and Council, reported the ſame to the Houſe, and it was read by Order and conſidered, and ordered to be tranſcribed that it may be ſent up to the Preſident and Council.

An Order being drawn on the Treaſurer for the Payment of *James Whitehead's* Account, was ſigned by the Speaker, by Order of the Houſe.

The Preſident and Council ſent down a Letter juſt received from *Conrad Weiſer*, Interpreter to this Province, relating to *Indian* Affairs, which was read.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Meſſage to the Preſident and Council being tranſcribed, was read, and follows in in theſe Words, *viz*

May it pleaſe the PRESIDENT *and* COUNCIL,

The Aſſembly's Anſwer to the Preſident and Council's Meſſage. THE Duke of *Newcaſtle*, in his Letter to Governor *Shirley*, dated the 30th of *May* laſt, to which you are pleaſed to refer us, directs Governor *Shirley* and Commodore *Knowles*, " to procure an Account of the whole Expence incurred on Account of the *American* Troops, from the Time of their being levied to the Time of their Diſcharge; and when the ſame ſhould be fully adjuſted and liquidated, to tranſmit it to him, with the proper Vouchers from the ſeveral Governors, that it might be laid before Parliament, to the End that Proviſion might be made for the Payment." And after ſignifying " His Majeſty's Intention, that the *Americans* ſhould be immediately diſcharged, except the few there mentioned," directs " that the Manner of diſcharging them, and the Satisfaction for their Time, ſhould be left to Governor *Shirley* and Commodore *Knowles*; who, in Purſuance of theſe Inſtructions, in their Letters to you, have requeſted you would furniſh them with the particular Accounts and Proofs they judge neceſſary for that Purpoſe :" And though they are alſo directed " to recommend it to the Governors of the Provinces where thoſe Levies have been made, to procure Credit from the reſpective Aſſemblies, in order to prevent any Complaint amongſt the Men that have been enliſted, for Want of immediate Pay," yet we apprehend, till the Sums due to the ſeveral Companies are regularly aſcertained, it is not in our Power to judge what Credit or Money may be expected to be borrowed from this Province for the King's Uſe, on Account of the Levies raiſed here. But conſidering the great Deſertions in thoſe Companies, and the Payments made them by Governor *Clinton*, who, we preſume, had the Command in Chief of thoſe Troops, we hope there can be no extraordinary Occaſion of Complaint amongſt the Men for Want of their remaining Pay till Proviſion ſhall be made for them by Parliament, or at leaſt till their Accounts can be fully adjuſted and liquidated in the Manner directed in the Duke of *Newcaſtle's* Letter.

The Accounts neceſſary for Settling the Expence of the *Pennſylvania* Companies, to the Time of their leaving this Province, we ſuppoſe are moſtly in your Hands; but the ſeveral Sums of Money granted upon this Occaſion, and which by our Votes and Minutes appear to have been paid for the King's Uſe, with ſuch other Materials as are in our Power, we have ordered to be laid before you."

And

And the Message being signed by the Speaker, by Order of the House; 1747.

Ordered, That *Thomas Leech* and *Edward Warner* carry the same up to the President and Council, together with the Account of the Sums that have been paid by this Province for the King's Use. *Nov.* 27.

The Petition from a Number of Inhabitants of the City of *Philadelphia* was again read, and after some Debate, the further Consideration thereof was adjourned to To-morrow Morning.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed Yesterday to wait on the President and Council with the Message of the House report, that the Council not being sitting, nor the President in Town, they had delivered it to the Secretary. *Nov.* 28.

The Petition from a Number of the Inhabitants of the City of *Philadelphia* was again read and considered, and referred to further Consideration.

The second Message from the President and Council was again read and considered, and referred to further Consideration.

Resolved, That the House will this Day adjourn to the first Second-day in the Eleventh Month next.

Ordered, That *James Morris* and *Joseph Trotter* wait upon the President and Council, and acquaint them, that the House intends to adjourn this Day to the first Second-day in the next Eleventh Month, if they have no Objection to that Time.

The Gentlemen return and report, that they waited on the President and Council, and delivered the Message of the House according to Order, and that no Objection was made to the proposed Adjournment.

An Account from *Joseph Turner*, of Provisions and Shoes furnished the Prisoners lately sent away, was laid before the House and read.

Then the House adjourned to the first Second-day in the next Eleventh Month. Adjournment

THE House met, pursuant to their Adjournment. 11*th Mo.* 4

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the President and Council, and acquaint them, that the House is met pursuant to their Adjournment, and ready to receive any Thing they may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the President and Council with the Message of the House report, that they delivered the same according to Order, to the President, who was pleased to say he would call a Council this Morning. 11*th Mo.* 5.

The Message from the President and Council of the 24th of *November* past, was read, together with the Message of the House in Answer thereto.

The Petition from a Number of the Inhabitants of the City of *Philadelphia* was again read.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The President and Council, sent down, by the Secretary, a written Message to the House, with sundry Letters and Papers therein referred to, which were read, and the Message follows in these Words, *viz.* *Post Meridiem.*

GENTLEMEN,

A Message from the President and Council to the Assembly.

'SINCE our Message to you of the 24th of *November* last, and your Answer there-
'to, dated the 27th of the same Month, we have received from Governor *Shirley*
'a Letter, informing us, that the Pay of the Companies of *New-York*, *Pennsylvania*,
'*Maryland* and *Virginia*, had been fixed at the Rate of *Six-pence* Sterling per Day, over
'and above the Provisions which had been allowed them, and that any Abatement or
'Stoppage would now seem unequal and grievous, and raise the utmost Discontents
'amongst the disbanded Troops; which, as he very justly observes, may be a Prejudice
'to His Majesty's Service in general upon any future Emergency of the like Nature.

'We have likewise received a Letter from Governor *Clinton*, inclosing an Account
'of Pay due to the *Pennsylvania* Companies from the 25th of *June* last to the 31st of
'*October*; wherein it appears, that there remains due to the Officers of the said Com-
'panies, *One thousand eight hundred and twenty two Pounds, Fifteen Shillings and Eight-*
'*pence* Sterling; and to the Sergeants, Corporals, Drummers and private Men, *One*
'*thousand three hundred and twenty three Pounds, eighteen Shillings*, Currency, besides an
'Allowance, which Governor *Clinton* observes the Officers expect, as they have com-
'puted their Accounts only to the 31st of *October*, but were not actually discharged till
'the 19th of *November*; which Papers, together with an Account of Provisions sup-
'plied the said Companies by Governor *Clinton*, amounting to *Two thousand seven hun-*
'*dred and fifty four Pounds, seven Shillings and three Farthings*, we have ordered to be
'laid before you; and we earnestly desire you will proceed with all possible Dispatch
'to comply with His Majesty's Demands.

January 5, 1747. *ANTHONY PALMER*, President."

The

1747. The further Conſideration of the above Meſſage, was adjourned to To-morrow Morning.

Adjournment 11*th Mo.* 6. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Houſe reſumed the Conſideration of the Meſſage from the Preſident and Council, which was again read with the Papers therein referred to; and after ſome Time ſpent therein,

Ordered, That *Thomas Leech*, *Iſrael Pemberton*, *Abraham Chapman*, *Thomas Worth* and *James Webb* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to prepare a Draught of an Anſwer to the Meſſage from the Preſident and Council, reported the ſame to the Houſe, and it was read by Order and approved of, and ordered to be tranſcribed that it may be ſent up to the Preſident and Council.

And being accordingly tranſcribed, it was again read, and follows in theſe Words, *viz.*

May it pleaſe the PRESIDENT *and* COUNCIL,

The Aſſembly's Anſwer to the Preſident and Council's Meſſage. WE ſhould have chearfully embraced the Opportunity now offered us of ſhewing our Loyalty, and the Regard we have to the King's Requeſt, by lending him the Money mentioned in your laſt Meſſage, until Proviſion could be made by the Parliament for the Repayment of it, were we in Circumſtances which enabled us ſo to do.

But the Demands upon our Treaſury have of late been ſo many and conſiderable, that the Money at our Diſpoſal hath been ſcarcely ſufficient to pay the neceſſary Charges of Government; and had we a Stock ſufficient in the Treaſury or Loan Office, yet as there is an Act of Aſſembly of the Province now in Force, which in the Abſence of a Governor prohibits the paſſing of any Act, however great the Neceſſity may be, we think you muſt be of our Opinion, that it would be inconvenient to apply any Part of the Public Money to the Purpoſes now required of us.

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Oſwald Peele* and *James Morris* wait upon the Preſident and Council, and deliver the ſame.

A Petition from *George Wood*, *William Donaldſon*, *William Parker*, *John Rudulph* and *Margaret Hows*, of the Townſhip of *Derby*, praying a further Allowance on account of their billeting Soldiers, *&c.* was preſented to the Houſe and read, and ordered to lie on the Table.

Divers of the Members requeſting Leave to be abſent To-morrow; and the Buſineſs before the Houſe being ſuch as they do not care to proceed upon, without having as full a Houſe as poſſible, the Houſe reſolved to adjourn to the next Sixth-day.

Adjournment 11*th Mo.* 8. Then the Houſe adjourned to next Sixth-day, at Ten o'Clock in the Morning.

The Gentlemen appointed to wait upon the Preſident and Council, with the Meſſage of the Houſe, report, that the Preſident being out of Town, they had delivered it to the Secretary, who undertook to lay it before the Council.

A Letter from *Conrad Weiſer*, Interpreter of the Province with the *Indians*, was laid before the Houſe, and read.

The Petition from a Number of the Inhabitants of the City of *Philadelphia*, was again read; and the Queſtion being put, that a Sum of Money be now given for the Purpoſes in the ſaid Petition mentioned? It paſſed in the Negative.

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Meſſage from the Preſident and Council, of the 25th of *November* laſt, relating to a Preſent to the *Indians*, together with the Treaty the Council had held with them, and two Letters from the Interpreter relating thereunto, were read;

Ordered, That *Iſrael Pemberton*, *Owen Evans*, *Abraham Chapman*, *Samuel Levis*, and *Peter Worrall* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage, and report it to the Houſe.

Adjournment 11*th Mo.* 9. Then the Honſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to prepare a Draught of an Anſwer to the Meſſage of the Preſident and Council, reported the ſame to the Houſe, and it was read by Order, and ordered to be tranſcribed, that it may be ſent up to the Preſident and Council.

Reſolved, That the Sum of *Five Hundred Pounds* be at this Time given and allowed as a Preſent to the *Indians* of the *Six Nations*.

And the Meſſage being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the PRESIDENT *and* COUNCIL,

The Aſſembly's Anjwer to another Meſſage from the Preſident and Council. WE have taken into our Conſideration your Meſſage of the 25th of *November* laſt, concerning the Treaty held with the *Indians* from *Ohio*. The Importance of theſe *Indians* towards the continuing and cultivating the good Underſtanding which hath ſo long ſubſiſted between this Government and the *Six Nations*, we obſerve, from this Treaty, depends pretty much on the Account they gave of themſelves: However, as they

they are a Part of the *Six Nations*, who, very probably, in this calamitous Time, are often in Want of Neceſſaries to acquire their Livelihood, we approve of the Preſent you have thought fit to make them; and alſo of the Account you have ſent the *Six Nations* of a larger Preſent intended for them in the Spring; and we ſhall take the Care which is neceſſary to enable you to fulfil that Engagement. 1747. 11th Mo. 9.

Permit us, however, to add, that we think it will be neceſſary to preſs their Union amongſt themſelves, and that they will do well to have due Regard to the Opinion of their old and experienced Men, whoſe Advice, from the Account they give, ſeems to have been laid aſide. Moſt of us, you are ſenſible, are Men of peaceable Principles, and the Preſents we gave (and thoſe formerly given on Behalf of this Government, ſo far as we have underſtood) were to ſupply them with Neceſſaries towards acquiring a Livelihood, and to cultivate the Friendſhip between us, and not to encourage their entering into a War. This we think moſt for the King's Intereſt, and the Peace and Safety of his Colonies in *America*; it being well known, that Wars, once begun amongſt them, are not to be ended without great Difficulty, and are attended with ſo much Bloodſhed and Cruelty, as uſually excites Revenge and like Inhumanity from the *Indians* in the *French* Intereſt againſt thoſe in Amity with us, and againſt others the King's Subjects.

We obſerve from *Conrad Weiſer's* Letter, which you were pleaſed to order to be laid before us, the *Indians* continue their Complaints of the Injuries they have received by the Carrying of Rum amongſt them; and we therefore hope you will endeavour to prevent this for the future, by directing the Laws provided againſt this Abuſe to be duly put in Execution.

As to that Part of the Meſſage we have mentioned, which relates to Governor *Shirley's* Letter and Propoſals, we are not informed of any further Accounts received from him ſince our laſt Meeting; and therefore our Sentiments on that Occaſion at this Time will, we preſume, be of little Uſe.

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Edward Warner* and *James Morris* carry up the ſame to the Preſident and Council, and acquaint them, that the Houſe intends to adjourn this Day to the Sixteenth of the next Third Month.

The Gentlemen return and report, that they waited upon the Council, and delivered the Meſſage according to Order, the Preſident being abſent. That the Council were pleaſed to ſay, they were preparing ſomething to lay before the Houſe; but ſince the Houſe had determined to adjourn, they acquieſced with it.

Then the Houſe adjourned to the Sixteenth Day of the next Third Month. Adjournment

THE Houſe met, purſuant to their Adjournment. 1748. 3d Mo. 16.

Ordered, That *Thomas Leech* and *Joſeph Trotter* wait upon the Preſident and Council, and acquaint them, that the Houſe is met purſuant to its Adjournment, and ready to receive any Thing they may have to lay before it.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Preſident and Council with the Meſſage of Yeſternight, report, that they delivered the ſame to the Preſident, who was pleaſed to ſay, the Council would ſend a Meſſage to the Houſe this Afternoon. 3d Mo. 17.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Preſident and Council ſent a written Meſſage to the Houſe, by the Secretary, with ſeveral Papers therein referred to, which were read, and the Meſſage follows in theſe Words, *viz.* *Poſt Meridiem.*

GENTLEMEN,

'SINCE you were pleaſed in your Meſſage, of the 9th of *January* laſt, to expreſs your Approbation, as well of the Preſent then made to the *Indians*, as of the Engagement entered into at the Treaty, of ſending our Interpreter with a larger Supply in the Spring, we have accordingly provided a ſuitable Quantity of *Indian* Goods for that Purpoſe. But obſerving the *Indians* addreſſed themſelves to the *Engliſh* in general, and conſidering that the Burthen of ſo large a Preſent, as would be neceſſary to preſerve their Friendſhip, ought not to be borne by this Government only, we diſpatched Letters to the Governors of *Virginia* and *Maryland*, acquainting them with the late Treaty, repreſenting the Importance of the Friendſhip of thoſe *Indians* to their Governments as well as ours, and entreating them to recommend it to their reſpective Aſſemblies to act in Concert with us on this Occaſion. As the Reſolutions of thoſe Governments cannot be known till the Meeting of their Aſſemblies, when this Affair will be laid before them; and as we have received Advice that the *Six Nations* intend to ſend ſome of their Chiefs early this Summer to tranſact ſome Buſineſs of Conſequence with us, on which Occaſion our Interpreter's Preſence will be abſolutely neceſſary; we have come to a Reſolution to defer ſending him with the Goods to the *Ohio Indians* for the preſent; and have diſpatched a Meſſenger to acquaint them with the Reaſons of this A Meſſage from the Preſident and Council to the Aſſembly.

1748. 3d Mo. 17.

'Delay, and to aſſure them, that our Interpreter will ſet out with the Goods as ſoon 'as the Buſineſs with the *Six Nations* is compleated. The Letters which have paſſed 'between us and the Southern Governments, together with the Inſtructions intended 'to be given to the Interpreter for his Conduct in treating with the *Indians* on his Ar-'rival at *Ohio*, we have ordered our Secretary to lay before you; as alſo an Account of 'the Goods we have purchaſed for the intended Preſent, amounting to about £ 1000, 'which, with the Charges of Carriage, and the neceſſary Expences of the Interpreter 'and his Company you will provide for; ſo that the Merchants may be paid as ſoon 'as poſſible, the Goods having been purchaſed at Ready-money Prices.

'We have long had under Conſideration the miſchievous Practice of ſelling Rum 'among the *Indians*, and have iſſued a Proclamation, drawn in as ſtrong Terms as the 'Nature of the Caſe would admit, to prevent it; but as the Laws provided in thoſe 'Caſes are very defective, we cannot expect the Abuſes and Irregularities committed by 'thoſe who paſs under the Name of *Indian* Traders, will be prevented, until thoſe Laws 'be amended; we therefore earneſtly recommend it to your Houſe to take the State of 'the *Indian* Trade into Conſideration, and to prepare a Bill for limiting the Number of '*Indian* Traders, and the putting them under proper Regulations, ſo that it may be 'paſſed into a Law on the Governor's Arrival.

'Great Inconveniencies having ariſen by the Imprudence of Pilots going on board 'Veſſels at the Capes, before they knew whether they were Friends or Enemies, pro-'per Care has been taken to prevent thoſe of this Government, and the Lower Coun-'ties, from entering on board any Ships or Veſſels, without Licence from the Ma-'giſtrates; and this Board was in hopes the Government of the *Jerſeys* would have laid 'their Pilots under the like Reſtrictions; but ſince that has not been done, we have 'cauſed a Proclamation to iſſue, prohibiting Pilots from going on board any inward 'bound Veſſel, until the Commander, or ſome of the Mariners, have firſt come on 'Shore, and it be known whether ſuch Veſſel belongs to *Britiſh* Subjects.

'This Province, which very lately was in a defenceleſs State, is now, through the 'Zeal and Activity of ſome, who have the Love of their Country ſincerely at Heart, 'rendered capable, with the Bleſſing of God, of defending itſelf againſt the Deſigns of 'our Enemies, many Thouſands of the Inhabitants having voluntarily entered into the 'moſt ſolemn Engagements for that Purpoſe; in conſequence whereof, Arms have been 'provided, and every one appears aſſiduous in qualifying himſelf for the Defence of his 'Country. We ſee with the greateſt Satisfaction ſuch Order and Regularity obſerved 'among them, and ſuch a Progreſs made in ſo ſhort a Time in military Skill, as far ex-'ceeds our Expectations. They have likewiſe, at a conſiderable Expence, erected Bat-'teries on the River, ſo ſituated, and of ſuch Strength and Weight of Metal, as to ren-'der it very dangerous for an Enemy to attempt the bringing any Ships before the City. 'Deſigns ſo commendable, and at the ſame Time ſo neceſſary, could not fail of the Ap-'probation and Encouragement of this Board; we have therefore granted Commiſſions 'to ſuch General and other Officers, as have from Time to Time been preſented to us 'for that Purpoſe by the Aſſociators. Since theſe Meaſures tend ſo manifeſtly, under 'God, for the Security of this Province, the Preſervation of its Metropolis, and the 'Protection of the Aged and Helpleſs from the Calamities which would attend an In-'vaſion, we think they juſtly deſerve the Encouragement and Aſſiſtance of your 'Houſe.

'In *December* laſt the Common Council and Merchants of this City, taking into 'Conſideration the many Loſſes that had been ſuſtained, and the melancholy State to 'which our Trade was like to be reduced, have, in ſeparate Petitions, addreſſed the 'Lords of the Admiralty for a Man of War, at the ſame Time deſiring the Proprie-'taries to give them their utmoſt Aſſiſtance; to which we have not only added Repre-'ſentations and Addreſſes from this Board, but have likewiſe applied to almoſt all the 'Governors and Commanders in *America*, from whom there was any Probability of being 'furniſhed with Cannon or Ships of War. We are very glad to ſay theſe Applications 'have not been altogether unſucceſsful; Gratitude calls upon us to acknowledge the 'Obligations we are under to the Government of *New-York*, for a Supply of battering 'Cannon, and to our worthy Proprietaries, from whoſe Intereſt and earneſt Solicitations 'at the Admiralty Board, we have good Reaſon to expect that a Man of War is ordered 'for the Security of our Trade; hereby the ſinking Spirits of our Merchants and 'Tradeſmen will be revived, the Produce of our Country be exported at leſs Riſk, and 'the Price of it thereby kept up, to the Encouragement of the Farmers.

'The *French* and *Spaniſh* Priſoners now in Town will require ſome Proviſion to be 'made for them during their Stay here, which we ſhall endeavour to make as ſhort as 'poſſible.

May 17, 1748. *ANTHONY PALMER*, Preſident."

The further Conſideration of the Meſſage from the Preſident and Council was adjourned till To-morrow Morning.

A Letter

A Letter from *Conrad Weiser*, Interpreter to the Province, relating to a Complaint made againſt one *James Dunning* by an *Indian*, being laid before the Houſe by the Secretary, with a verbal Meſſage from the Council, recommending the ſame to the Conſideration of the Houſe, was read; and the *Indian* attending, was examined thereupon, and then withdrew; and the Complaint was referred to further Conſideration. 1748. 3d Mo. 17.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Meſſage from the Preſident and Council was again read, and conſidered, and the further Conſideration thereof referred to the Afternoon. 3d Mo. 18.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe proceeded in reading and conſidering the Meſſage from the Preſident and Council. *Poſt Meridiem.*

Ordered, That *Thomas Leech*, *Oſwald Peele*, *John Watſon*, *John Owen* and *James Webb* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage.

Then the Houſe adjourned till To-morrow Three o'Clock, *P. M.* Adjournment

The Preſident and Council ſent down, by the Secretary, a written Meſſage to the Houſe, which was read, together with a Paper therein referred to, and the Meſſage follows in theſe Words, *viz.* 3d Mo. 19. *Poſt Meridiem.*

GENTLEMEN,

A Meſſage from the Preſident and Council to the Aſſembly.

"WE have juſt received Advice from *Newcaſtle*, that there is a *French* Privateer upon our Coaſt, mounting fourteen Carriage and ſixteen Swivel Guns, and one Hundred and Seventy-five Men on board, with two other Privateers in Concert; and by the Depoſition, which the Secretary will lay before you, it appears that on *Sunday* Morning laſt they had taken a Schooner bound from this Port to *Bermuda*, on board of which they had put Part of their Men, with Arms, and Orders to proceed to the Capes of *Delaware*, where the Schooner arrived, and on *Monday* Evening took in our Bay a Brigantine with a very valuable Cargo on board, bound to this Port. One of theſe Privateers is the ſame that came into our Bay laſt Summer, and there took ſeveral inward and outward bound Ships, of very great Value. The Apprehenſions of this Board, that the Succeſs our Enemies then met with, without Oppoſition, would be an Encouragement to further Attempts, appear by the preſent Event, to be well founded; and if ſome ſpeedy and effectual Meaſures for putting a Stop to theſe Depredations are not ſoon taken, there will be juſt Reaſon to fear worſe Conſequences: Private Subſcriptions, if they could be procured, would be inſufficient for the Preſervation of the Trade of this Province, and are an unreaſonable, as well as a grievous Burthen, on a Few, in a Caſe where All are concerned; it is from your Houſe only that the Merchants and Traders expect Protection; and if that be now refuſed, or proper Meaſures neglected to diſperſe the Enemy, our Port muſt continue blocked up; our inward bound Veſſels inevitably loſt, and a total Stagnation of Trade muſt follow, which will certainly bring Poverty and Ruin upon many of our Inhabitants: We therefore moſt earneſtly recommend it to you, as you have the ſole Diſpoſal of the Public Money, that you would employ ſome Part of it for the Service of the Public in the Protection of their Trade.

May 19, 1748 *ANTHONY PALMER*, Preſident."

The further Conſideration of the Meſſage was adjourned till To-morrow.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to prepare a Draught of an Anſwer to the former Meſſage from the Preſident and Council, reported the ſame to the Houſe, and it was read, and conſidered, and the further Conſideration thereof referred to the Afternoon. 3d Mo. 20.

Reſolved, That an Order on the Treaſurer iſſue, under the Hand of the Speaker, for paying in Goods the Value of *Fifteen Pounds* to the *Indian*, towards a Compenſation for the Loſs he complains of.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe reſumed the Conſideration of the Meſſage to the Preſident and Council, and after Debate thereupon, and ſome Amendments, it was ordered to be tranſcribed, that it may be ſent up to the Preſident and Council. *Poſt Meridiem.*

The ſecond written Meſſage from the Preſident and Council was again read;

Ordered, That *Joſeph Trotter*, *James Morris*, *Abraham Chapman*, *Samuel Levis* and *Peter Worrall* be a Committee to prepare a Draught of an Anſwer to the ſame, and report it to the Houſe.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Meſſage to the Preſident and Council being tranſcribed, was read, and follows in theſe Words, *viz.* 3d Mo. 21.

May it pleaſe the PRESIDENT *and* COUNCIL,

The Aſſembly's Anſwer to the Meſſage of the Preſident and Council.

"BY our Meſſage, to which you are pleaſed to refer in your's of the 17th Inſtant, we expreſſed our Approbation as well of the Preſent then made to the *Indians*, as of

1748. 3d Mo. 21. of the Engagement you had entered into at the Treaty, of ſending our Interpreter with a larger Supply in the Spring. And to enable you to diſcharge theſe Engagements, we cauſed an Order to be drawn at our laſt Sitting on the Treaſurer, for the Payment of *Five Hundred Pounds*, which, with what was remaining of the Money formerly given for the like Purpoſes, we thought, and yet think, might be ſufficient for our Part of the Preſent to be made to the *Indians* at this Time; eſpecially ſince, as you very juſtly obſerve, "the Burthen ought not to be borne by this Government only." From the Letters you are pleaſed to direct to be laid before us, we further obſerve, that the Governors of *Virginia* and *Maryland* ſhew a Willingneſs to promote the giving of additional Preſents on Behalf of their Governments; and if our Proprietaries, whoſe Intereſts are very nearly concerned, and will be much augmented, by cultivating a good Underſtanding with theſe *Indians* on our Borders, would alſo be pleaſed, as formerly they have done, to join their Preſents with ours (which we are humbly of Opinion they ought to do) the Whole would make a very handſome Preſent, and all that we think is neceſſary, without any further Proviſion than what is already made. However, as we know the Time is critical, we are willing to do all we judge reaſonable on this Occaſion; and ſhall therefore make the neceſſary Proviſion to pay for the Goods, which, by the Accounts exhibited to us, appear to be already purchaſed, together with the uſual Charges allowed for tranſporting them.

We agree in Sentiments with you, that the Practice of ſelling Rum among the *Indians* is miſchievous; and therefore think it was prudently done to iſſue the Proclamation you are pleaſed to mention, to prevent, as much as might be, the like ill Practices for the future. This Miſchief, we conceive, is occaſioned rather by the Difficulty of putting the Laws already made in Execution, than any Defect in thoſe Laws; however, we ſhall at a proper Time reſume the Conſideration of theſe Laws, and ſhall chearfully conſent to any Amendments which ſhall appear to us reaſonable or neceſſary.

The Care you have been pleaſed to take for preventing the Inconveniencies which may ariſe by the Imprudence of Pilots, was well judged. On the Arrival of our Governor, we think it will be neceſſary to provide Acts of Aſſembly both here, and in the three Lower Counties, for this Purpoſe: And the Example, we doubt not, will be followed by the Government of *New-Jerſey*; the not having any Laws reſpecting Pilots amongſt us, being, as we are informed, the only Reaſon which prevented an Act for like Purpoſes from paſſing among them.

As to that Part of your Meſſage which reſpects the Aſſociation lately entered into, and the Preparations made for the Defence of the Province, it is difficult for us to expreſs our Sentiments; the moſt of us, as well as many others within this Province, you know, have profeſſed ourſelves principled againſt the bearing of Arms; and yet, as we enjoy the Liberties of our own Conſciences, we think it becomes us to leave others in the free Exerciſe of theirs. The Aſſiſtance you have thought fit to give the Aſſociators, we make no doubt aroſe from a Senſe of what you believed your Duty. And the Zeal and Activity many of them have ſhewn on the Occaſion, we ſuppoſe may have ariſen from the Love they bear to the Country. And as we are willing to make charitable Conſtructions on their Conduct, we hope the like charitable Sentiments will prevail with them concerning us, and others like principled, when we have repeatedly declared we cannot in Conſcience join with any Preparations of this Kind.

As we have the Honour of repreſenting the whole Province, in which, we know, there are Numbers of People, whoſe Judgments in the Point we have mentioned, do not exactly correſpond with ours, we think it no Inconſiſtency, notwithſtanding any Thing we have ſaid, to add, that we acknowledge, with Gratitude, the Regard the Lords of the Admiralty are pleaſed to ſhew for protecting the Trade of the Province: And alſo the Kindneſs ſhewn by our Proprietaries in ſoliciting for it. Nor have we leſs grateful Sentiments of the Kindneſs of our neighbouring Government of *New-York*, as we believe their Intentions were good, and it may have quieted the Minds of divers of our Inhabitants; though it is a Favour we could not have aſked, being intended for ſuch a Mode of Defence, in which we do not place our Confidence.

The *French* and *Spaniſh* Priſoners, you are pleaſed to mention, are, as we are informed, imported by a Veſſel not belonging to this Port; and it is not clear to us, that Owners of Ships, belonging to any other Port, have Right to bring Priſoners hither to become a Charge upon us; and, if allowed in this Inſtance, may encourage Multitudes of others: However, whilſt they are amongſt us, we think they ought to be provided for, and treated with Humanity; whether at the Expence of the Province in the whole, or in any, and what Part, may hereafter be conſidered: In either Caſe, we approve of your Reſolutions to make their Stay amongſt us as ſhort as poſſible: And we hope you will think it reaſonable, that the Priſoners may, in the mean Time, be confined at leaſt by Night, to prevent their doing any Injuries to the Inhabitants of this City.

We have likewiſe conſidered the Complaint you were pleaſed to recommend to us, made by an *Indian*, of the Theft committed on him, in taking Horſes and Peltry from him; and

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we have made such Enquiry as hitherto hath been in our Power: But having heard only one Side, it is not fit we should come to any determinate Resolutions therein. We are, however, sensible of the Dangers which may arise from Complaints of this Kind, where due Care is not taken; and therefore, as a Court of Oyer and Terminer is, as we are informed, likely to be held in *Lancaster* in a little Time, we intreat the President and Council it may be recommended to the Care of the Judges of that Court, to make the necessary Enquiry; and, if they find Cause, to direct a Prosecution against the Offender, and, if he shall be duly convicted, to take Care that he suffer as the Law directs, and be obliged to make Restitution to the Party aggrieved. In the mean time we have thought it necessary to make the *Indian* a Present, because, as they have little Knowledge of our Laws, and the Time requisite for convicting Offenders, he might otherwise think the Delay an Intention of depriving him of his Right, and be thereby excited to disturb the Peace of the Government, if not to do some greater Injury."

1748. 3d Mo. 21.

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *James Morris* and *Joseph Trotter* wait upon the President and Council, and deliver the same.

The Gentlemen return and report, that they delivered the same according to Order.

The Committee appointed to prepare a Draught of an Answer to the second written Message from the President and Council, reported the same to the House, and it was read, and approved of, and ordered to be transcribed, that it may be sent up to the President and Council.

Which being done, the same was again read, and follows in these Words, *viz.*

May it please the PRESIDENT *and* COUNCIL,

The Assembly's Answer to the President and Council's Message.

WE have so often declared our Sentiments on like Occasions as the subject Matter contained in your last Message, you cannot possibly be unacquainted with them; and therefore we think it can be of no Use to repeat them here. Besides, we do not see what in Prudence or Policy could be done on the present Emergency. To send a Vessel in Pursuit of the Privateer supposed to be at the Capes, the Distance is so great, a late Example may convince us, the Privateer might, and, very probably, would be out of Reach, before any Vessel could get thither. And to keep a Vessel constantly at our Capes to guard the Coast, must be introductive of an Expence too heavy, as we conceive, for the Province to bear. We may add to this, that to put so great a Burden on the Inhabitants at this Time, would, we think, be inexcusable, when, from the Message you were lately pleased to send us, as well as by other Accounts, there is great Reason daily to expect a Ship of War, to be stationed on our Coast, for the Protection of the Trade of the Province."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *John Hall* and *John Owen* carry up the same to the President and Council, and withal acquaint them, that the House inclines to adjourn this Day to the 22d of the next Sixth Month.

An Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for the Payment of Twenty-three Pounds Seven Shillings and Three-pence to *Joseph Turner*, in Discharge of his Account for Provisions and Shoes, furnished to some *Spanish* Prisoners, sent away in a Flag of Truce the last Fall.

The Gentlemen return and report, that they had delivered the Message of the House to the President and Council according to Order, and that no Objection was made to the proposed Time of Adjournment.

A verbal Message from the President and Council, by the Secretary, *viz.*

Mr. *Speaker*,

'As the House has informed the Board that they incline to adjourn till the 22d of '*August*, the Council are unwilling to press their Stay longer at this Time; but if the 'Ship of War should not arrive so soon as is expected, and our Port continues to be 'blocked up, they shall be under a Necessity of calling you together before the Time to 'which you propose to adjourn."

Then the House adjourned to the 22d of the next Sixth Month. Adjournment

THE President and Council having, by their Writs directed to the Sheriffs of the respective Counties, ordered the Assembly to be summoned to meet this Day; a Quorum met accordingly. 4th Mo. 8.

Ordered, That *Thomas Leech* and *Edward Warner* wait on the President and Council, and acquaint them, that the House is met pursuant to their Summons, and ready to receive any Thing the Council may have to lay before them; and also desire a Copy of the Writs by which they were summoned.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the President and Council with the Message of Yesternight, report, that they delivered the same according to Order. 4th Mo. 9.

1748. *4th Mo.* 9. The President and Council sent down a Message in Writing by the Secretary, with several Papers therein referred to, and one of the Writs by which the House was summoned; which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

A Message from the President and Council to the Assembly.

'THE Reason for calling you together so soon after your Adjournment, will appear from the Depositions and Papers herewith laid before you; and though you have hitherto refused to grant Money for the Protection of the People, or the Trade of this Province; yet, as we think it our Duty, you must excuse us, if, in this Time of general Calamity, we again press you on that disagreeable Subject, in Hopes that the miserable Circumstances to which we are now reduced, may at length prevail with you to provide a proper Remedy.

'At the Time of your last Sitting our Port was actually blocked up by the Enemy's Privateers; they have since grown more numerous, and have taken almost all our inward-bound Vessels, using our Countrymen with great Barbarity. One of them, a large *Spanish* Privateer, with One Hundred and Sixty Men on board, came up the River as high as *Elsenburg*, where she came to an Anchor, without being discovered to be an Enemy, and intended next Morning to take a Ship then laying before *Newcastle*, and burn the Town; which they had certainly effected, had not an *Englishman* swam on Shore in the Night, and alarmed the Inhabitants. 'Tis true most of the Privateers are now thought to be gone off with their Prizes; but it is reasonable to suppose they will soon return for more; or that others, encouraged by the Fame of their Success, will supply their Places.

'During the Enemy's Stay in the River they took a great Number of small Craft, and thereby gained exact Intelligence of what passed among us; and it is not unlikely but that, among other Things, they had learnt the Resolutions of your House, and had a Dependance that no Vessel of War would be fitted out against them by this Government; otherwise they might have expected their Insolence and Cruelty would not have gone unpunished; it being an unusual Thing for *Englishmen* to bear tamely, and without Resistance, the Insults of so despicable an Enemy, Crews of Negroes, Mulattoes, and the very Dregs of Mankind.

'Soon after your Adjournment his Majesty's Sloop the *Otter*, under the Command of Capt. *Ballet*, arrived here; but not being in a Condition to proceed immediately on a Cruize, and being besides a Vessel of small Force, insufficient, without an Assistant, to attack such a Number of Enemies, we have hitherto reaped no Advantage from her Arrival: She is now careen'd, and we hope will be soon fit for Service; to which End the Captain assures us nothing in his Power shall be wanting. And we have dispatched an Express to *Virginia*, in order to procure (if possible) the *Hector* Man of War to join her; but as the obtaining this Assistance, and its Continuance, if obtained, are, on many Accounts, uncertain, we have thought it absolutely necessary that a Ship of War should be fitted out by this Province, to be joined with the *Otter* for the Protection of our Trade, the Consideration whereof we now earnestly recommend to your House, and that you would accordingly furnish a sufficient Sum of Money, which we assure you shall be applied faithfully to that Purpose, and with the utmost Frugality. You will herewith receive an Estimate of what we judge the Charge will amount to by the Month, which we shall endeavour to lessen as much as possible.

'We find, that it has been the Opinion of your House, that the keeping a Vessel constantly at our Capes to guard the Coast, will be introductive of an Expence too heavy for the Province to bear, and be too great a Burthen on the Inhabitants. But if our Port continues blocked up; if not only our inward-bound Vessels must be taken, but those in Port dare not venture out, whereby the perishable Commodities with which they are laden spoil in the Hands of the Merchants; if those Colonies that used to take off great Part of our Produce, are discouraged from sending their Vessels hither, and endeavour to be furnished, as they may be, with the same Commodities, at a safer Port; if, by these Means, our Trade diminishes, being turned into another Channel, our Produce sinks in Value, and every necessary Commodity from abroad is enhanced in Price; if, thro' the Decay of Business, our Merchants fail, our Tradesmen want Employment, our Farmers are reduced to Poverty, our Inhabitants remove, and our Lands and Houses fall far below their present Worth, all natural Consequences of an obstructed Navigation; we beg you would consider whether these will not prove Burdens vastly heavier, and to which that of keeping a Vessel to protect our Trade bears no Proportion; we having good Grounds to assure you, that the Loss sustained within one Week only, amounts to a much larger Sum than would be necessary to be expended in guarding our Coast for several Years. We shall only add, that if there should not be Money enough at present in the Treasury, a sufficient Sum might readily be raised, by way of Loan, on the Credit of a Vote of your House.

June 9, 1748. *ANTHONY PALMER*, President."

The

The further Consideration of the Message was referred to the Afternoon. 1748.

Then the House adjourned to Three o'Clock, *P. M.* *4th Mo.* 9.

The Message from the President and Council was again read and considered, and the further Consideration thereof adjourned to To-morrow Morning. *Post Meridiem.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Message from the President and Council was again read, and considered; *4th Mo.* 10.

Ordered, That *James Morris*, *Israel Pemberton*, *Abraham Chapman*, *Peter Dicks* and *Peter Worrall* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of an Answer to the Message of the President and Council, reported the same to the House, and it was read, and considered, and ordered to be transcribed, that it may be sent up to the Council. *4th Mo.* 11.

Then the House adjourned to Two o'Clock, *P. M.* Adjournment

The Message to the President and Council being transcribed, was again read, and follows in these Words, *viz.* *Post Meridiem.*

May it please the PRESIDENT *and* COUNCIL,

THAT we have refused to grant Money in the Manner you have sometimes thought proper to apply for it, is very true; and yet we think the Charge you are pleased to make against us, in your last Message, "of our having hitherto refused to grant Money "for the Protection of the People, and the Trade of this Province," is too generally expressed. That Government ought to be honourably supported, and that we ought to contribute towards it proportionably to our Circumstances, have been both our Sentiments and Practice. And, "the Protection of the People, and the Trade of the Pro-"vince," we look upon as principal Parts of the Duty of those by whom this Support is received. And wherever those in whose Hands the executive Powers of Government have been, or now are, in Discharge of what they conceive to be their Duty, are, or shall, on any Emergency, be put to an Expence for the Good of the Province, which the Assemblies have or hereafter shall judge reasonable, as we remember no Instance past, so we believe not any such will hereafter happen, wherein a suitable Provision will not be made in the Support of Government. The Assembly's Answer to the President and Council's Message.

We would not from hence be understood, to encourage your putting the Province to any extraordinary Expence at this Time, and particularly in hiring and fitting out a Ship of War, which we think unnecessary; and which, from the Estimate you were pleased to send us, amounts to near 1000*l.* per Month, besides the Risk and Repairs of the Vessel; a Burden, we now think, as formerly we have thought, too heavy for the Province to bear.

The Answer you are pleased to give to this Objection, consists only in pointing out the Consequences you are pleased to suppose may attend the blocking up our Ports, *&c.* But in the Judgment you form on this Occasion, you seem to consider the Province independent, as neither intitled to, nor having Reason to expect, any other Protection or Defence, but such as it is able to provide for itself. If this were really the Case, the Dangers you apprehend might be better grounded; it being evident that were the whole Province to exert themselves to the utmost of their Abilities, it would not be sufficient to protect them against such a Force as might possibly come against them.

The late Attempts appear, by the Depositions you were pleased to lay before us, to have been made by three Privateers, who did not come altogether: And if an additional Ship of War was necessary in that Case, is it not possible that double the Number of Privateers may come? And will not, by the same Reasoning, a double Number of Ships of War be necessary? Is the Province able to bear such an Expence? Or is it reasonable to suppose, that when by Favour of the Crown one Vessel is stationed amongst us, and the Assistance of another enjoined, if it shall become necessary, that it was not intended to relieve the Province from a Burden it was judged unfit to bear? Can it be prudent to strain our Circumstances, and load the Province with so heavy an Expence, after the Provision thus made for us? And might not the making such further Provision deprive the Province of the Vessel, which, by the Lenity of the Government, is already provided for guarding our Coasts, and protecting our Trade, free from any Expence to us?

In Times of War, it is not to be expected but that Losses will happen; the Channel of *England*, we suppose, hath been as well guarded of late as ever, and yet, as we are informed, not less than five out of six Vessels, which sailed from this Port within the Space of about fifteen Months last past, have been taken, and but one of them on our Coast. The Estimate you have been pleased to make of the Losses which lately happened, is, in our Opinion, much too large. Two of those Vessels (one of which was the most valuable of those lately taken) were taken at Distance from our Capes; and this might have been the Case, if a Ship of War had been cruizing there.

On the Whole, as you are pleased to inform us that most of the Privateers (we suppose all)

1748. 4th Mo. 11. all) are gone off; that the Ship of War in our Port will ſoon be fit for Service, and that you have diſpatched an Expreſs to *Virginia*, in order to procure the *Hector* Man of War to join her; if the Commander of that Ship be, as we are told he is, inſtructed to aſſiſt the *Otter* when it is neceſſary, there is no Reaſon to doubt but he will comply with his Inſtructions; and this, on the preſent Occaſion, is all that appears to us neceſſary: And we muſt therefore deſire to be excuſed, when we declare, that we cannot concur in Opinion with you, that it is at this Time neceſſary a Ship of War ſhould be fitted out by this Province."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Samuel Levis* and *Francis Yarnal* carry the ſame up to the Preſident and Council, and acquaint them, that the Houſe is inclined to adjourn this Day to the 22d of the next Sixth Month.

The Houſe being informed that Capt. *Ballet*, with the King's Sloop the *Otter*, which, by an Order from the Lords of the Admiralty, was ſtationed here to guard the Trade of the Province, is about to ſail, and it being moved, That as a Token of the Loyalty and Gratitude of the Inhabitants of this Province for the Favour ſhewn on this Occaſion, a ſmall Preſent may be made the Captain, for ſupplying him with Sea-ſtores and other Refreſhments; it was thereupon

Reſolved, That the Sum of *One Hundred Pounds* be paid by the Treaſurer to Capt. *Ballet* for the Purpoſes aforeſaid; and an Order was drawn accordingly, and ſigned by the Speaker, by Order of the Houſe.

The Gentlemen return and report, that they delivered the Meſſage to the Preſident, who was pleaſed to ſay, that he had no Objection to the propoſed Time of Adjournment; but as the Council were not yet met, he requeſted the Houſe would ſtay Half an Hour.

The Houſe being informed that the Council were now met, ordered the ſame Members to wait on the Preſident and Council, and acquaint them, that the Houſe have gone through the Buſineſs that lay before them, and are inclinable to adjourn.

The Gentlemen return and report, that they waited on the Preſident and Council, and delivered the Meſſage of the Houſe according to Order; and that ſome of the Council were pleaſed to ſay, they were reading the written Meſſage, and would ſend it to the Houſe as ſoon as poſſible.

The Houſe having waited ſome Time,

Ordered, That *James Morris* and *Joſeph Trotter* wait on the Preſident and Council, and acquaint them, that if they have nothing to lay before the Houſe, the Houſe is determined to adjourn.

Who returning, report, that they delivered the Meſſage according to Order; and that the Secretary is attending with a Meſſage from the Council.

And the Secretary being called in, ſaid,

Mr. *Speaker*,

" The Preſident and Council command me to tell the Houſe, that after what they " have ſaid, they think it will be to no Purpoſe to ſay any Thing further to the Houſe."

Adjournment. Then the Houſe adjourned to the 22d of the next Sixth Month.

6th Mo. 22. THE Houſe met, purſuant to their Adjournment.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Preſident and Council, and acquaint them, that a Quorum of the Houſe is met, purſuant to their Adjournment; and that, if the Preſident and Council have any Thing to lay before them, they are ready to receive it.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 23. The Gentlemen appointed to wait on the Preſident and Council with the Meſſage of Yeſternight, report, that they delivered the ſame to the Preſident according to Order; who was pleaſed to ſay, the Council would have ſomething to lay before the Houſe To-morrow Morning.

A Petition from *Thomas Græme* and *William Till*, Eſquires, two of the Judges of the Supreme Court, ſetting forth, that the Buſineſs of the ſaid Court is from Year to Year conſiderably increaſed, ſo as to take up much more of their Time and Attention than heretofore; and requeſting therefore an Addition to their Salaries uſually allowed them; was preſented to the Houſe, and read; and ordered to lie on the Table.

Ordered, That *Oſwald Peele*, *Joſeph Trotter*, *Cephas Child*, *Peter Dicks*, *John Davis* and *Arthur Patterſon*, be a Committee to examine and ſettle the Accounts of the incidental Charges for the current Year.

The Petitions from the Innkeepers of *Cheſter* and *Derby*, praying farther Allowance on account of their billeting Soldiers, *&c.* were again read, and referred to *Iſaac Norris*, *Joſeph Trotter*, *Thomas Leech* and *Peter Dicks*, who are to examine the Allegations of the ſaid Petitions, and report their Opinion what may be proper for the Houſe to do therein.

The Petition of *Alexander Gandouit*, Practitioner in Phyſick, praying a farther Allowance on Account of his Attendance on, and Medicines adminiſtred to, ſundry ſick Soldiers, was alſo read, and referred to the ſame Committee.

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An Account of *Thomas James* for dieting *French* Prisoners, amounting to *Thirty-seven Pounds Six Shillings*, was laid before the House, and read; and referred to the same Committee. 1748. 6th Mo. 23.

An Account from *Hugh Roberts*, for Pipes, Tobacco and Sugar, delivered for the *Indians* at several Treaties, amounting to *Two Pounds Nineteen Shillings* and *Ten-pence*, was laid before the House, and read; and referred to the same Committee.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The President and Council sent down a written Message to the House by the Secretary, with several Papers therein referred to, which was read, and follows in these Words, *viz.* 6th Mo. 24.

GENTLEMEN,

'IN Pursuance of his Majesty's Commands, signified to us by his Grace the Duke of *Bedford*, we have caused his Majesty's Proclamation for a Cessation of Arms to be published here, which, by the Advices we have received, we expect will soon be followed by a general Peace. A Message from the President and Council to the Assembly.

'Since your last Sitting we have again taken into Consideration the mischievous Practice of carrying Rum among the *Indians*, and have not only issued a Proclamation for preventing it, but have ordered the Magistrates of *Lancaster* County to recommend it to the Grand Jury, that the Delinquents may be prosecuted; whereupon Bills of Indictment have been found against a great Number of them, which, we hope, will be some Check to this growing Evil, though we cannot expect a total Stop will be put to it, until the Laws provided against selling Rum to the *Indians*, be amended.

'The latter End of *June* last we received a Letter from his Excellency Governor *Shirley*, acquainting us, that an Interview with the *Indians* of the *Six Nations* was appointed to be held at *Albany*, on the 10th of *July*, desiring that Commissioners might be sent from this Government to be present at it, to consult and join with the other Commissioners there; but taking into Consideration your Sentiments delivered to us in a Matter of the like Kind, and observing the Notice being so short, that it would scarcely afford Time sufficient for consulting with you on this Affair, and for appointing Commissioners with proper Instructions, we declined calling you together on this Occasion.

'The Information we received from the *Cayugas* had the Appearance of a Matter of the greatest Importance to the Safety of the People of this and the neighbouring Governments; we therefore immediately dispatched an Express with it to his Excellency the Governor of *New-York*, whose Answer, together with the Information we received, will be delivered you by our Secretary.

'In Consequence of the Letters, which in our Message we acquainted you we had wrote to the Governors of *Virginia* and *Maryland*, the former has sent a Present for the *Indians* at *Ohio*, to be delivered them by Mr. *Weiser*, with the Presents from this Government.

'We have the Satisfaction to acquaint you, that the *Twigtwees*, a considerable Nation of *Indians*, living on the River *Owebache*, a Branch of *Ohio*, hitherto in the *French* Interest, being desirous of entering into Friendship with the *English*, communicated their Intentions to the *Indians* of the *Six Nations* at *Allegany*, who conducted their Deputies to *Lancaster*, where a firm Treaty of Friendship and Alliance has been established between us. This must necessarily strengthen the *English* Interest in general among the *Indians*, contribute greatly to the Security of our Inhabitants in Time of War, and tend considerably to the enlarging our *Indian* Trade, especially as we are assured by the *Twigtwee* Deputies, that not less than twelve Towns in their Neighbourhood are equally desirous with them to become our Allies, and settle a Correspondence with us; and that they only waited to know the Success of their Negotiations, when they would make the like Application. Should this be effected, besides the Advantages already mentioned, the Intercourse between the *French* at *Canada* and the *Mississippi*, would be greatly interrupted, the nearest and most convenient Passage being through those Towns. For other Matters of less Moment transacted at that Treaty, we shall refer you to the Treaty itself. You will be pleased to order Payment of the Expences accrued on this and other necessary Occasions, an Account whereof will be delivered to you.

August 24, 1748. *ANTHONY PALMER*, President."

Some of the Papers accompanying the Message were also read, and the Rest referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House proceeded to read the Remainder of the Papers sent down with the President and Council's Message; and then adjourned to Ten o'Clock To-morrow Morning. *Post Meridiem.* Adjournment

The Message from the President and Council was again read, and the further Consideration thereof was adjourned to the Afternoon. 6th Mo. 25.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Message from the President and Council was again read, Paragraph by Paragraph, and considered; *Post Meridiem*

1748. 6th Mo. 25. *Ordered*, That the Clerk lay before the Houſe the News-paper, containing certain Reſolves of Council lately publiſhed, relating to the Proceedings of the Houſe in their laſt Sitting.

Adjournment 6thMo. 26. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Paper containing the Reſolves of Council, was laid before the Houſe according to the Order of Yeſterday, and read, together with the Meſſages between the Preſident and Council and the Aſſembly, which preceded them.

Ordered, That *Owen Evans*, *Iſrael Pemberton*, *John Watſon*, *Thomas Chandler*, and *James Webb*, be a Committee to prepare a Draught of an Anſwer to the laſt Meſſage from the Preſident and Council; and alſo an Anſwer to the ſaid Reſolves, and report the ſame to the Houſe.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to audit and ſettle the Accounts of the General Loan-Office, and other public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members.

Ordered, That *Edward Warner* be added to the Committee for incidental Charges.

John Wright, Truſtee of the General Loan Office for the County of *Lancaſter*, moved, that, as his Age and Infirmities rendered him unable to attend the Duties of his Office, he might be excuſed, and another appointed in his room; which was referred to further Conſideration.

Adjournment 6thMo. 27. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Sundry Accounts from the Secretary, of Money advanced by him for the Public, and Services done, *&c.* were laid before the Houſe, and read; and referred to the Committee for incidental Charges, who are to report thereon to the Houſe.

The Committee appointed to examine the Accounts of the Innkeepers of *Cheſter* and *Derby*, report, that, on conſidering ſome Informations lately received, they are of Opinion the Sum of *Nineteen Pounds Three Shillings* and *Ten-pence* be allowed to *James Mather*; *Twenty-one Pounds* to *David Coupland*; *Four Pounds Three Shillings* to *George Wood*; *Six Pounds Seventeen Shillings* to *William Donaldſon*; *Five Pounds Seventeen Shillings* and *Ten-pence* to *John Rudolph*; *Five Pounds Two Shillings Three Farthings* to *William Parker*; and *Five Pounds Five Shillings* to *Margaret Howes*; in full of their reſpective Demands; which was agreed to by the Houſe.

Adjournment 6thMo. 29. Then the Houſe adjourned to next Second Day, at Three o'Clock, *P. M.*

The Houſe met purſuant to their Adjournment.

The Committee appointed to examine and conſider Doctor *Gandouit's* Petition and Account, report, that they have done the ſame according to Order; and that they are of Opinion, a further Sum of *Ten Pounds* ought to be allowed him, in full Satisfaction thereof; which was agreed to by the Houſe.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6thMo. 30. The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

6thMo. 31. The Committee of incidental Charges report, that they have made ſome Progreſs in what was committed to their Charge, but had not compleated the ſame.

The Petition of *Thomas Græme* and *William Till*, Eſquires, two of the Judges of the Supreme Court, praying an Augmentation of their Salaries, was again read, and the farther Conſideration thereof referred to the Afternoon.

Adjournment Then the Houſe adjourned to Three o' Clock, *P. M.*

Poſt Meridiem The Committee appointed to prepare a Draught of an Anſwer to the Meſſage from the Preſident and Council, reported the ſame to the Houſe, together with an Anſwer to the Reſolves publiſhed by the Preſident and Council, and they were read by Order, and referred to further Conſideration To-morrow Morning.

The Houſe reſuming the Conſideration of the Petition of *Thomas Græme* and *William Till*, Eſquires, two of the Juſtices of the Supreme Court of this Province; it was thereupon

Reſolved, That the Sum of *Sixty Pounds* be paid to each of them for their reſpective Salaries for the current Year.

The Committee of incidental Charges reported on the Secretary's and ſome other Accounts, and the Houſe made ſuch Allowances as ſeemed reaſonable.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

7thMo. 1. The Meſſage in Anſwer to that from the Preſident and Council was read, and conſidered, and ordered to be tranſcribed, that it may be ſent up to the Council.

And being tranſcribed, it was again read, and follows in theſe Words, *viz.*

The Aſſembly's Anſwer to the Preſident and Council's Meſſage.

May it pleaſe the PRESIDENT and COUNCIL,

THE Information you are pleaſed to give us in your Meſſage of the 24th paſt, that "In Purſuance of His Majeſty's Commands, you had cauſed His Majeſty's Pro-"clamation for a Ceſſation of Arms to be publiſhed here," affords us great Satisfaction,

and

and the greater from the Prospect there is, that it will "soon be followed by a general Peace." The Calamities attending War are so many, and so great, that every well-disposed Mind will be humbly thankful to Almighty God, for inclining the Hearts of the contending Monarchs towards Peace: And every dutiful Subject ought to acknowledge the paternal Regard of our King, which appears in the great Care and Solicitude he hath been pleased to shew for the Accomplishment of so salutary a Work. 1748. 7th Mo. 1.

The Care you have taken to prevent the carrying of Rum amongst the *Indians*, and to remove the Misunderstandings you judge likely to have arisen between the Government of *New-York* and the *Six Nations*; and also the Measures pursued for extending our Alliances, and promoting Peace amongst the *Indians* by the Treaties carried on within our own Government, and your not calling us together at a Time when it could have been of little public Use, we very much approve.

The Particulars of the Treaty you have been pleased to lay before us, and the Charge which hath arisen by this Means, will in due Time come under our Notice, and such Provision made in it as the House on Consideration shall judge reasonable."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *John Hall* and *George Ashbridge* carry up the same to the President and Council, and acquaint them, that another Message is under Consideration of the House, which they expect will be ready to send up in the Afternoon.

A Petition from *James Sterret*, Sheriff of *Lancaster* County, praying Payment of an Account for his Trouble and Expences in bringing a Prisoner from *Lancaster* Goal to the Goal of *Philadelphia*, by Order of the Judges of the Supreme Court, was presented to the House, and read. *Ordered to lie on the Table.*

The second Message to the President and Council was again read, and considered, and ordered to be transcribed, that it may be sent up to the Council.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Gentlemen appointed to deliver the Message of the House of this Morning to the President and Council, report, that the Council not being sitting, they delivered it to one of the Members.

The Message of the House, in Answer to the Resolves of the President and Council, being transcribed, was again read, and follows in these Words, *viz.*

May it please the PRESIDENT *and* COUNCIL,

The Assembly's Answer to the President and Council's Resolves.

AS it hath been our constant Care, during the whole Time of your Administration, to avoid giving just Cause for any Misunderstandings between you and the Assembly, and have for this Reason overlooked Things which otherwise we might have excepted against; so we should have been very well pleased if nothing had happened on your Part which had a contrary Tendency, such as might make it necessary to shew our Disapprobation of any Parts of your Proceedings. But the Resolves of your Board, which bear Date the 14th of *June* last, published in the *Gazette* of the 16th of the same Month, as we presume by your Order, are so very extraordinary, as that without Breach of the Trust reposed in us by our Country, we cannot forbear to speak our Sentiments of them, in the Manner which we think becomes the Representatives of the Freemen of the Province of *Pennsylvania*.

In the first Place therefore permit us to observe, we know but of one Instance in which any such Attempt was ever before made, *to wit*, in the Year 1741; and the Resolution of the Assembly at that Time upon it was, *That for the Governor and Council to draw in Question, arraign and censure the Proceedings of the Representatives of the Freemen of the Province in Assembly met, after the Adjournment of such Assembly, is assuming to themselves a Power the Law hath not entrusted them with, is illegal and unwarrantable, a high Breach of their Privileges, and of dangerous Example.* On that Occasion, the Governor allowed the propereſt Time to have taken Notice of the Proceedings in Assembly was whilst they were sitting; but excused his not doing it, as not knowing what they had done until after their Adjournment; and if this is reasonably to be expected from a Governor, who is at the Head of the Legislature within the Province, it is more reasonable to expect it from the President and Council, who by our Constitution are no Part of the Legislature, nor are intrusted with any Share in the making of Laws. In the present Case, the President and Council can have no such Pretence as was made at the Time we have mentioned. The Message which occasioned the Resolves of your Board, was delivered before we adjourned; and if you had thought any Remarks necessary to have been made, it was in your Power to have desired our Stay until it could be done; but you were so far from desiring this, that, after the House had waited more than an Hour, you at length let them know, after what was contained in their Message, you did not think it would be of any Service to say any Thing further to them.

How, after this and divers Days Adjournment, the Board happened to resume the Consideration of our Message, and form such Resolves, introduced by publishing to the World, that the House adjourned, *before the Board had an Opportunity of reading, consi-*

dering

1748. 7th Mo. 1. *ſidering and replying to the written Meſſage*, will require ſome Skill to account for. It appears to us rather as an After-thought, and calculated to Purpoſes of no Benefit to the Public, as well as expreſſed in Terms far from being decent to the Repreſentative Body of a Province. Having premiſed thus much in general, permit us next to take Notice of ſuch particular Parts of the Reſolves, as we ſhall think neceſſary, in order to acquit ourſelves from the Aſperſions we think unjuſtly thrown upon us. And what we ſhall ſay to this Purpoſe, we deſire may be underſtood as intended to ſuch of the Council whoſe Names are annexed to theſe Reſolves; for we are willing to think, that had there been a full Council, they would not have paſſed in the Manner they are publiſhed.

By the firſt Reſolve the Preſident and Council are pleaſed to ſay, *That it was never underſtood in this Province, that the Salaries voted to Governors* for their Support, *were intended to be laid out in protecting and defending the People and Trade of the Province*, &c.

You may be pleaſed to obſerve, that in this Part of the Reſolve you have changed the Word (Government) which is uſed in our Meſſage to the Word (Governor) which alters the State of the Queſtion between us very much; for though Money given to ſupport *Government*, and Money given to ſupport a Governor, differ but as the Whole does from a Part, it muſt be allowed the former is a much more extenſive Donation than the latter. And yet where Money is given for the Support of the Governor, it muſt, as we conceive, be underſtood, as given the better to enable him to diſcharge the Truſt repoſed in him; and if any Emergency ſhould require his laying out a Part of this Money for the public Good, any Government might juſtly think themſelves unkindly uſed if it were denied them, eſpecially where there was no Doubt of being repaid with Advantage. You are pleaſed to add, *You receive no ſuch Salaries*. And to this we as readily anſwer, neither do, nor did we expect you would advance any Money. We might however have juſtly expected you did know that the preſent Aſſembly had no Right to bind thoſe who were to ſucceed them; and therefore their *Belief* of what future Aſſemblies would do, was all that could be reaſonably expected from the preſent.

Part of your ſecond Reſolve is, *That there is no Probability that others will be induced to advance Money on ſo* uncertain, obſcure and evaſive a Declaration, *as is contained in the laſt Meſſage of Aſſembly; their being repaid again depending on the Good-will and Pleaſure of the Houſe, to be obtained by* humble petitioning, *and by* ſubmiſſive *perſonal Applications to the Members*, &c. The Language you have here been pleaſed to make Choice of is ſuch, as neither for Delicacy nor Decency will, we hope, be drawn into Example on any future Debate; but waving this, as what can reflect no Diſhonour upon us, be pleaſed to recollect, That by your Meſſage of the 9th of *June* laſt, after having acquainted us the Sloop *Otter* would ſoon be fit for Service; that you had diſpatched an Expreſs to *Virginia* to procure the Aſſiſtance of the *Hector* Man of War to join the *Otter*; you let us know, you *thought it abſolutely neceſſary that a Ship of War ſhould be fitted out by this Province, to join with the* Otter *for the Protection of our Trade*. To this, by our Meſſage two Days after, we anſwered in Subſtance, That the hiring and fitting out ſuch a Ship of War we thought unneceſſary; that from your own Eſtimate the Charge would be near 1000 £. per Month, beſides the Riſk and Repairs of the Veſſel, a Burthen we thought to heavy for the Province to bear. That if the Commander of the *Hector* Man of War had, as we were informed, been inſtructed to aſſiſt the *Otter*, there was no Reaſon to doubt he would comply with his Inſtructions, and that this was all we thought neceſſary on the Occaſion. Is not this a direct Anſwer to your Meſſage, without any Obſcurity, Uncertainty or Evaſion? Had we not at leaſt as equal a Right to judge of what was fit to be done, as your Board? And has not the Event ſhewn the Judgment we formed was right, and ſaved the Province divers *Thouſand Pounds?* But what renders the Proceedings of the Board yet more remarkable, is, that notwithſtanding the great Obſcurity in the Meſſage you complain of, and that it is ſuch as neither you, nor any other, would advance Money on; yet by Virtue of this Meſſage (for without you had no Pretence) in a few Days after you thought fit to draw an Order on the active Truſtee of the Loan-Office, for a Sum of Money payable to your Secretary, which he accordingly received. How to reconcile theſe Parts of your Conduct we are at a Loſs.

When thoſe whoſe Duty it is to protect Men in the Enjoyment of their Religious and Civil Liberties, become their Accuſers, and cenſure at random, it is hard to be borne. The People called *Quakers*, think this their Caſe, when they find themſelves publicly charged in your Reſolves with Principles they do not hold, viz. *That it is their known Opinion, that all warlike Preparations are ſo far from being advantageous to the Public, that they have a direct contrary Tendency.* It is not our Buſineſs, nor are we on this Occaſion inclinable to enter into religious Diſputes; but had you been pleaſed to recollect what has been frequently ſaid on this Subject by former Aſſemblies in their late Meſſages to the Governor, you muſt have been convinced of your Miſtake; and it is the leſs excuſable, as you were at the Time Members of Council. To aſperſe Men in any Manner, is doing them an Injury; and to make your Reſolves the Inſtruments of ſpreading ſuch an Aſperſion againſt a conſiderable Body of People, is a very great Aggravation of the Injury.

The

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The third and fourth Resolves you were pleased to form on this Occasion, *to wit*, That the Assembly had done nothing for his Majesty's Service, or for the Security of the People and Trade of the Province; That Three, or at most Four Thousand Pounds, would have been sufficient for equipping and maintaining a Ship of War, *&c.* require but a short Answer. We think good Service was done both *His Majesty and the Province*, by withholding the Three or Four Thousand Pounds, which you would have laid out in a Manner that would have been of no Benefit to either.

The fifth Resolve you are pleased to introduce in these Words, *viz. That the Reason given in the Assembly's Message, why no Provision at all should be made for our Defence, to wit*, Because were the whole Province to exert their utmost Abilities, it would not be sufficient, *&c.* is evasive and trifling, &c.

Overlooking the Delicacy of the Language, permit us to say, the Words here recited were neither intended, nor applied to prove, that nothing ought to be done for the Defence of the Province; but to shew we had Reason to expect, and were intitled to, greater Assistance, or that otherwise all that could be done would be insufficient. This is the obvious Sense of the Paragraph as it stands in our Message, and if there be any Thing trifling or evasive, it is owing to the wrong Light in which you attempt to place it.

In just the same Manner you mistake the Sense of the House in your sixth Resolve, introduced in these Words, *The Fact adduced in the Assembly's Message, to prove the Inexpediency or rather the mischievous Consequence of guarding any Coast, and that an unguarded Coast is the safest, &c.*

Surely you must have read our Message with great Haste, and little Attention, or you could not possibly thus misunderstand the Sense of it. Is there one Syllable throughout the Whole which makes the guarding any Coast to be mischievous, or that makes the unguarded Coast to be the safest? If there be any Thing of this Import, you should have pointed it out to us; if there be not, as surely there is not, what can we say, when we find you, by your Resolves, publish to the World Things as our Sentiments, which we never thought of?

To your seventh Resolve, all that we think necessary for us to say, is, That it must be evident, the greater Ability any Province shews towards its own Defence, the less it needs, and the less it has to expect from our Mother Country. If you will be pleased to apply this to the *Otter*, and the great Preparations you were for having the Province to make for its Defence, it will fully answer the Purport of this Resolve.

The eighth Resolve makes your Conclusion of much the same Import as your Introduction, touching which you have already heard our Sentiments. You are pleased to say, *That when an Assembly is called by the Governor, or by the President and Council, to consult on Matters of the highest Importance for His Majesty's Service, and the Safety of the People, their determining hastily to adjourn, without giving Time for an Explanation, &c. as hath been often practised by the Assemblies of this Province*, is indecent and improper, *&c.*

To this we answer, That notwithstanding the Charges you are pleased to make against the Assemblies of this Province, we know of no such Practices as you mention. It is true, we have by Law a Right to meet and sit upon our own Adjournments; and therefore, when all is done that we think is necessary for the King's Service, or the Good of the Country, we have a Right to adjourn, without being harrassed and kept together, either at the Pleasure of a Governor, or the President and Council; and we would hope you are better Friends to the Constitution, than to wish it deprived of this Privilege, though we must own the Resolve now under Consideration seems to strike at it. You may be pleased to recollect, that we have never exercised this Power of adjourning ourselves, without first acquainting the Board with our Intentions of so doing; and particularly we did it on our last Adjournment, of which you complain; although by your Message delivered to us, which we have already mentioned, you let us know, that after what was contained in it, you did not think it would be of any Service to say any Thing further to us. The Terms therefore of *indecent* and *improper*, are, we think, much more applicable to your Resolves, than our Adjournment.

Upon the Whole, we are of Opinion, That for the President and Council to form such Resolves, and publish them after the Adjournment of the Assembly, thereby arraigning and censuring their Proceedings, is assuming a Power the Laws of this Government never intrusted them with, is unparliamentary, such as strikes at the Freedom of Assemblies, and the Rights of the Freemen of this Province; hath a Tendency to create Animosities in the Minds of the People, and to cause great Confusion amongst us; and therefore we hope will not be drawn into Example."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Edward Warner* and *Joseph Trotter* wait upon the President and Council, and deliver the same.

The Gentlemen return and report, that they waited upon the President and Council, and delivered the same according to Order; and that some of the Council were pleased

1748. to ſay, they ſhould have a Meſſage of ſome Conſequence to ſend to the Houſe in the Morning.

7th Mo. 1. Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

7th Mo. 2.

The Petition from *James Sterret* was again read, and his Account allowed; the Priſoner being a Perſon who is ſuppoſed to have been convicted of Murder, and made his Eſcape from *Albany*.

Thomas Leech and *Iſaac Norris* are added to the Committee for incidental Charges.

The Preſident and Council ſent down a written Meſſage to the Houſe by the Secretary, who ſaid, in delivering it, that the Council had ſomething under Conſideration, which they hoped would be ready to lay before the Houſe To-morrow; and the Meſſage being read, follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Preſident and Council to the Aſſembly.

'WE expected that on the Receipt of our Meſſage you would have provided for the Expence accruing on the Treaty held with the *Indians* at *Lancaſter*, and were not a little diſappointed when we found by your Meſſage of Yeſterday, that you had not then taken it into Conſideration. As any conſiderable Delay will in our Opinion reflect Diſhonour on this Government, we find ourſelves under a Neceſſity of entreating you to order the Payment of the neceſſary Charges accruing on that Treaty before you adjourn; ſince, if it be poſtponed, the People may be long kept out of their Money, this being uſually the laſt Sitting of your Houſe on Buſineſs. Beſides it would be a particular Satisfaction to the Board, that the neceſſary Expences, which have accrued during our Adminiſtration in the Public Service, ſhould be honourably diſcharged.

Sept. 2, 1748. *ANTHONY PALMER*, Preſident."

The further Conſideration of the Meſſage from the Preſident and Council was referred to the Afternoon.

Ordered, That *James Morris* and *Joſeph Trotter* wait upon the Preſident and Council, and acquaint them, that the Houſe have nearly done what Buſineſs lay before them, ſo as that they might adjourn in the Afternoon; but being informed by the Secretary, that the Preſident and Council have ſomething under their Conſideration, to be laid before the Houſe To-morrow Morning, they intend to adjourn to that Time, but deſire they may have it early in the Morning.

The Gentlemen return and report, that they delivered the Meſſage according to Order; and that the Council were pleaſed to ſay they would give all the Diſpatch they could to what is under their Conſideration.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem.

The Houſe took into Conſideration the ſeveral Accounts of Expences in the late Treaties with the *Indians*, and there appearing to be due from the Province to ſundry Perſons, on that Account, the Sum of *Five Hundred and Twelve Pounds, Seven-pence Half-penny*,

Reſolved, That Orders iſſue under the Hand of the Speaker for the Payment of the ſame.

Adjournment

Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

7th Mo. 3.

The Meſſage from the Preſident and Council was again read, and conſidered; and after waiting ſome Time,

Adjournment

The Houſe adjourned to Two o'Clock, *P. M.*

Poſt Meridiem

The Preſident and Council ſent down a written Meſſage to the Houſe, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Preſident and Council to the Aſſembly.

'SHOULD we give you a particular Anſwer to your laſt Meſſage, it would probably draw on a Controverſy, which we on many Accounts deſire to avoid. By comparing your Meſſage with the Reſolves of this Board, it may be ſeen how little Candour and Ingenuity is to be expected in the Courſe of ſuch a Diſpute; your obſerving that we have cenſured a Part of your former Meſſage for its Obſcurity, as being evaſive, *&c.* and quoting another Part of it which we did not object to on that Account; and your dropping material Words in the Middle of a Sentence, where they did not ſerve your Purpoſe, *&c.* are a few of the many Inſtances we might produce, were we to enter into the Argument; but as ſuch a Controverſy may be attended with a conſiderable Expence, and, as Things are now circumſtanced, can bring no Advantage to the Public, we ſhall decline it.

'We are not accountable to each other for our Conduct; His Majeſty and the Freemen of this Province are the proper Judges of it; to them we can ſafely appeal. As we have had no Party Views, no perſonal Intereſt or Power to ſupport, we ſhall the more readily be believed when we declare, we have acted on the ſole Motive of the Public Good. It is well known, that during our Adminiſtration, our Time has been chiefly employed in the Service of the Country, by uſing all Means in our Power for its

'Safety

'Safety and Protection, in Times of the greateſt Danger; how far you have aſſiſted us, and thoſe, who, to their immortal Honour, joined in this neceſſary Work, all the World knows. 1748. 7th Mo. 3.

'Your Meſſage, upon which our Reſolves were made, we thought juſtly liable to be cenſured by every one who had Senſe enough to ſee how they were deſerted by their Repreſentatives, whoſe Aſſiſtance they had a Right to expect; and as it appeared to us calculated to miſlead the People at a Time when their All was at Stake, we judged it our indiſpenſable Duty to his Majeſty and our Country, to expoſe it in the Manner we did, and that juſtly, notwithſtanding what is ſaid in your laſt Meſſage; and though we have thereby drawn on us your Reſentment, we are not concerned on that Account: While the Adminiſtration of the Government continues in our Hands, we ſhall perſevere in preferring the Good of the Common Wealth to every other Conſideration.

'The ſingle Point between us, as we conceive, is, whether your Conduct or ours has contributed moſt to the Public Service; and on that Point we ſhall leave it, without entering into a fruitleſs Debate on the Subject.

Sept. 3, 1748. *ANTHONY PALMER*, Preſident."

Then the Houſe adjourned for one Hour.

And being again met, the following Meſſages were a greed to be ſent up to the Preſident and Council, *viz.*

May it pleaſe the PRESIDENT *and* COUNCIL,

A Meſſage from the Aſſembly to the Preſident and Council.

AS you were acquainted by our laſt Meſſage ſave one, "That the Particulars of the Treaty, and the Charges which had ariſen by that Means, would in due Time come under our Notice; and ſuch Proviſion made in it as the Houſe on Conſideration ſhould judge reaſonable:" And as you juſtly obſerve, this is uſually the laſt Sitting of the Houſe on Buſineſs, it neceſſarily followed, we could not have intended to poſtpone the Conſideration of the Charges beyond the preſent Seſſion; and therefore we are at a Loſs why you are pleaſed to expreſs any "Diſappointment" that it was not "then taken into Conſideration." However, to give you full Satisfaction in this Affair, we now let you know, that we have ſince examined the Accounts concerning the *Indian* Treaties, the Goods purchaſed for the Preſent, and the Charges which have ariſen thereupon, and have made Proviſion for Payment of the Whole which remains due on thoſe Accounts."

May it pleaſe the PRESIDENT *and* COUNCIL,

Another Meſſage from the Aſſembly to the Preſident and Council.

WE agree with you, it was prudently judged, "On many Accounts," and eſpecially One, to decline a particular Anſwer to our laſt Meſſage; and we are of your Sentiments, "That by comparing your Reſolves with our Meſſage, it may be ſeen how little Candour and Ingenuity is to be expected in the Courſe of ſuch a Diſpute." Your laſt Meſſage will further illuſtrate this, which contains freſh Charges, but expreſſed in Terms ſo obſcure, as if, ſince you are determined not to be particular in your Anſwer, it ſhould not be in our Power to be ſo in our Reply. Since therefore it is your Pleaſure, we muſt leave the former Part of your Meſſage in the Obſcurity we find it, until you ſhall condeſcend to explain yourſelves.

You are pleaſed to ſay "We are not accountable to each other for our Conduct;" give us leave to wiſh you had thought of this before you had beſtowed ſo heavy Cenſure on ours: It might have ſaved both you and us ſome Trouble.

You are pleaſed to add, "You have had no Party Views, no perſonal Intereſt or Power to ſupport." It may be ſo, ſince you are pleaſed to ſay it; but when this is urged as a Motive to your being "the more readily believed," in Oppoſition to the Repreſentative Body of the Province, it ſeems to require a little Demonſtration.

If it was, as you are pleaſed to ſay, really "well known, that during your Adminiſtration your Time has been chiefly employed in the Service of the Country, *&c.*" there was the leſs Neceſſity you ſhould become the Publiſhers of it. But you are pleaſed to add, "how we have aſſiſted you; and thoſe who, to their *immortal* Honour, joined with you, in the neceſſary Work you mention, all the World knows." If thoſe who joined with you deſerved immortal Honour, how much more do you deſerve? Enjoy unmoleſted all the Honour, all the Applauſe, you think fit to beſtow on yourſelves; but why muſt you depreciate the Characters of others?

You are further pleaſed to ſay, "That our Meſſage, on which your Reſolves were made, you thought juſtly liable to Cenſure, that it appeared to be calculated to miſlead the People; that you judged it your indiſpenſable Duty to his Majeſty and your Country to expoſe it," *&c.*

Since you are pleaſed to allow we are not accountable to you for our Conduct, whence then do you derive your Right of cenſuring? or, of what you expreſſed yet more indecently, of expoſing? In the Heighth of the late Controverſies, ſuch Expreſſions were not uſed, that we remember; and we are at a Loſs to find from whence you could copy

ſuch

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ſuch Language to the Repreſentative Body of a Province. Beſides, when the Event has ſhewn the Judgment formed by the Aſſembly was right, and has ſaved the Province ſome Thouſand Pounds, we think you might have ſpared theſe Cenſures beſtowed thus unprovoked. What Motives could we poſſibly have for judging amiſs? Have we not alſo Eſtates and Families in the Province? Have not many of us drawn our firſt Breath here? Have not divers of our Fathers, and ſome of our Grandfathers, been of the firſt Settlers? What Inducements can we poſſibly have to biaſs us againſt the Intereſt of our Country?

To conclude, As you ſhew a Diſpoſition to ſubmit both your own Conduct and ours to the Opinion of the Public, without entering into further Debate, ſo do we. If we have committed any Miſtakes, the Time draws near in which our Conſtituents, if they think it neceſſary, may amend their Choice. And the Time alſo draws near, in which your Miſtakes may be amended, by a ſucceeding Governor: Permit us to congratulate our Country on both."

And both the Meſſages being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Oſwald Peele* and *Joſeph Trotter* carry up the ſame to the Preſident and Council, and acquaint them, that the Houſe inclines to adjourn to the Thirtieth of this Inſtant.

The Report of the Committee on the Public Accounts, was approved and allowed by the Houſe, and follows in theſe Words, *viz.*

WE, *the* COMMITTEE *appointed by Order of Aſſembly to ſettle the Accounts of the* GENERAL LOAN OFFICE *of the Province of* Pennſylvania, REPORT,

Report of the Committee appointed to ſettle the Accounts of the General Loan Office.

THAT, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Aſſembly for emitting Paper Bills, and now remaining in the Loan Office undiſcharged, we find there are principal Sums or Quotas thereon, to become due and payable to the Truſtees, the Sum of - - £ 47,690 13 4

That a Liſt of 209 Mortgage Deeds have been taken, Part on the firſt Re-emiſſion of the ſecond £ 80,000 and Part on the ſecond Re-emiſſion of ditto, amounting as per Liſts, to 13,219 10 0

That there are Quotas outſtanding, and now due on all the Mortgage Deeds, as by a Liſt exhibited by the Truſtees to the Committee, and by them examined, amounting to the Sum of —— —— —— £ 14,482 13 4

That ſeveral Sums lent the Public, to be repaid into the Hands of the Truſtees, are ſtill outſtanding, viz.

The whole Sum appropriated by the ſecond £ 30,000 Act, to build a State-Houſe, —— ——	£	2000	0	0	
Part of the Sum lent the City of Philadelphia for building an Alms-Houſe, —— ——		187	10	0	
Part of the Sum lent the City of Philadelphia by the firſt £ 30,000 Act,		156	0	0	
Part of the Sum put into the Hands of the Provincial Treaſurer,		200	0	0	
	£	2,543	10	0	
				£	77,936 6 8
Balance in the Hands of the Truſtees, —— ——					2,063 13 4
Makes the whole Sum current in the Province, ——				£	80,000 0 0

That the Truſtees, upon the Account of Intereſt, Credit the Province with Sundries, *viz.*

By Intereſt outſtanding at the laſt Settlement, —— ——	£	6,556	7	7	
By Intereſt ariſing on all the Mortgage Deeds this current Year, —— ——		2,940	7	0½	
By broken Intereſt received this Year, —— —— ——		1,168	14	1	
				£	10,665 8 8½
That the Truſtees, upon Account of Intereſt, Charge the Province with the Balance of laſt Year's Account, ſettled with the Committee, 6 Mo. 20th, 1747. —		561	6	11½	
And with the Intereſt outſtanding on all the Mortgage Deeds, amounting, as per Liſt, to		6,921	6	4½	
And for ſundry Orders for Aſſembly Men's Wages, —— ——		211	16	6	
Paid Joſeph Trotter for Signing 2,625 Twenty Shilling Bills, ——		1	19	4½	
Paid John Hall, for Signing 2,625 Twenty Shilling Bills, —— ——		1	19	4½	
Paid Samuel Kirk, for Fire-Wood for the Uſe of the Houſe, —— ——		5	13	0	
Paid Lyn-Ford Lardner for the Proprietors, in Purſuance of an Act of Aſſembly, ——		130	0	0	
Paid Thomas Leech, towards finiſhing the State-Houſe, —— ——		250	0	0	
Paid the Papermaker, for diſcovering the Perſon who wanted Paper made to counterfeit our Money —— —— —— ——		10	0	0	
Paid Capt. John Ballet, per Order, —— —— ——		100	0	0	
To the Truſtees Salary for the preſent Year, —— ——		550	0	0	
Paid Iſaac Greenleaf for 100 l. Sterling, being the Agent's Salary for the Year 1747		185	0	0	
Paid John Kinſey, Chief Judge of the Supreme Court, per Order ——		200	0	0	
Paid Thomas Græme, one of the Judges of the Supreme Court, per Order ——		50	0	0	
Paid Thomas Burden, per Order, —— —— ——		10	16	11½	
Paid Richard Peters, per Order of the Preſident and Council, purſuant to a Meſſage of Aſſembly,		150	0	0	
Paid Samuel Mickle, for a Pipe of Madeira Wine, it being a Preſent made to —— Norbury, Captain of the Loo Man of War, —— —— ——		35	0	0	
A Loſs on Joſeph Jervis's Mortgage, allowed by a former Aſſembly, ——		27	7	9	
An Overcharge on the Intereſt on Daniel Harriſon's and Francis Nieff's Mortgages,		9	13	4	
For an Allowance due by Law for 151 Mortgage Deeds, —— ——		151	0	0	
			£	9,562	19 7½
Balance in the Truſtees Hands due to the Province,				1,102	9 1
			£	10,665	8 8½

WE,

WE, *the* COMMITTEE *appointed by Order of the Assembly to audit and settle the Public Accounts*, REPORT, 1748. *7th Mo.* 3.

Report of the Committee appointed to settle the Public Accounts.

THAT we have examined the Provincial Treasurer's Account, and find that he Credits the Province,

By the Balance of Accounts settled with the Committee, 6th Month 20, 1747,	£	642	18	4½
By Cash received of Joseph Trotter and James Morris, Trustees of the Province Island,		99	4	6
By Cash of John Jemmison, one of the Magistrates of the County of Bucks, a Fine for Petty Larceny,		0	15	0
By Cash of Judah Foulke, Collector of Excise for the City and County of Philadelphia,		1,369	3	6
By Cash of William Atkinson, Collector of Excise for the County of Bucks,		83	0	0
By Cash of Jeremiah Star, Collector of Excise for the County of Chester,		271	4	0
By Cash of Arthur Patterson, Collector of Excise for the County of Lancaster,		169	11	0
	£	2,635	16	4½

THAT he Charges the Province with the following Articles, to wit,

Paid John Owen, per Order of Assembly,	5	0	0
Paid Abraham Chapman, per Order,	5	0	0
Paid Joseph Levis, per Order, for dieting and lodging Soldiers,	41	4	0
Paid Isaac Griffitts, per Order,	11	5	0
Paid Benjamin Franklin, per Order,	67	14	4
Paid Alexander Gandouit, per Order	20	0	0
Paid Jacob Bowman, per Order,	58	16	0
Paid William Dewees, per Order,	24	14	0
Paid James M'Vaugh, per Order,	52	10	6
Paid John Salkeld, per Order,	30	3	4
Paid Charles Stow, per Order,	5	2	0
Paid Peter Bard, for maintaining French Prisoners, per Order,	25	0	0
Paid Conrad Gehr, per Order,	36	16	0
Paid James Morris, per Order,	6	0	0
Paid Catherine Wansiddel, per Order,	14	8	0
Paid Samuel Kirk, per Order,	8	11	8
Paid Anthony Hinkle, per Order,	50	19	0
Paid James Claxton, per Order,	78	17	0
Paid Thomas Carval, per Order,	44	7	0
Paid Aubrey Bevan, per Order,	31	14	0
Paid Thomas Norris, per Order,	5	12	0
Paid David Coupland, per Order,	25	12	8
Paid Richard Peters, per Order,	30	1	0
Paid Tench Francis, per Order,	70	0	0
Paid Thomas Bond, per Order,	22	10	0
Paid James Mather, per Order,	37	3	5
Paid James Whitehead, for maintaining Spanish Prisoners, per Order,	46	11	0
Paid the President and Council's Order for 400 l. in Pursuance to a Resolve of Assembly, granting that Sum to purchase a Present for the Indians,	400	0	0
Paid William Till, one of the Judges of the Supreme Court, per Order,	50	0	0
Paid Marcus Hulings, per Order,	3	10	0
Paid the President and Council's Order for 500 l. pursuant to a Resolve of Assembly, granting that Sum as a Present to the Ohio Indians,	500	0	0
Paid for Sundries to clothe the Spanish Prisoners, per Order,	26	17	3
Paid Edward Warner, per Order,	5	15	0
Paid Bemalighon (an Indian) per Order,	15	0	0
Paid Joseph Turner, for Sundries he supplied the Spanish Prisoners with, per Order,	23	7	3
Paid Joseph Kent, for going an Express to Virginia,	15	0	0
Paid John Dennice, for going an Express to New-York,	5	0	0
Paid Joseph Insley, for dieting and attending French Prisoners,	16	11	6
Paid James Wood, for bringing down French Prisoners from Newtown, in Bucks County,	2	2	0
Paid James Smith, for going Express to New-York,	5	0	0
Paid the President and Council's Order for 100 l. it being in Part of an additional Present made to the Ohio Indians by the President and Council, and allowed by the Assembly,	100	0	0
Paid Christopher Obrian, for maintaining French Prisoners,	3	7	0
Paid Joseph Scull, for maintaining French Prisoners	17	17	0
Paid Dorcas Buchanan, for maintaining French Prisoners,	10	17	0
Paid John Maul, for one Month's Hire of his Boat and Hands, in cruizing in the Bay and River of Delaware as an Intelligence-boat,	25	0	0
Paid Mary Farrell, for maintaining French Prisoners,	5	2	0
Paid James Whitehead, for maintaining French Prisoners,	17	4	0
Paid James Claxton, for maintaining ditto,	5	14	0
Paid Augustine Stillman, for maintaining ditto,	1	4	6
Paid Pyramus Green, for maintaining ditto,	1	15	0
Paid Joseph Kent, for going Express to Virginia,	15	0	0
Paid Conrad Weiser, per Order,	43	8	0
	£ 2,170	3	5
Commissions on £ 2,170 3s. 5d. at 5 l. per Cent.	108	10	2
Balance in the Treasurer's Hands, due to the Province,	357	2	9½
	£ 2,635	16	4½

THAT we have examined the Accounts of Judah Foulke, Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province

By the Balance of Account, settled with the Committee last Year,	£	494	10	1
By the Amount of Excise from 4th Mo. 1, 1747, to 4th Mo. 1, 1748,		1,613	13	8
By Cash received of sundry Persons for Fines, as per List,		26	6	0
	£	2,134	9	9

THAT he Charges the Province with his Commissions on £ 1,639 19 8, at 5 per Cent £ 82 0 0

To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times, 1,369 3 6

Balance due to the Province, 683 6 3

£ 2,134 9 9

THAT we have examined the Accounts of William Atkinson, Collector of Excise for the County of Bucks, and find that he Credits the Province,

By the Balance of Accounts settled with the Committee last Year,	£	78	11	0
By the Amount of Excise from 4th Month 1st, 1747, to 4th Month 1st, 1748,		120	13	2
	£	199	4	2

1748. 7th Mo. 1. THAT he Charges the Province with the following Articles,
To Caſh paid Michael Lightfoot, Provincial Treaſurer, at ſundry Times, — — 83 0 0
Commiſſions at 10 per Cent, on 83 l. — — 8 6 0
Balance due to the Province, 107 18 2
£ 199 4 2

THAT we have examined the Accounts of Jeremiah Star, Collector of Exciſe for the County of Cheſter, and find that he Credits the Province,
By the Balance of Accounts, ſettled with the Committee laſt Year, — 272 2 2
By the Amount of Exciſe, from 4th Mo. 1, 1747, to 4th Mo. 1, 1748, 257 6 0
£ 529 8 2

THAT he Charges the Province with the following Articles,
To Caſh paid Michael Lightfoot, Provincial Treaſurer, at ſundry Times, £ 271 4 0
To his Commiſſions, on 271 l. 4*s*. at 10 l. per Cent. — 27 2 4
Balance due to the Province, 231 1 10
£ 529 8 2

THAT we have examined the Accounts of Arthur Patterſon, Collector of Exciſe for the County of Lancaſter, and find that he Credits the Province,
By the Balance of Account, ſettled with the Committee laſt Year, — £ 6 12 6½
By the Amount of Exciſe, from 4th Mo. 1, 1746, to 4th Mo. 1, 1748, is 2 Years, 350 17 4
£ 357 9 10½

THAT he Charges the Province with the following Articles,
To a bad Debt on Edward Edwards's Exciſe, — — £ 2 0 0
To Caſh paid Michael Lightfoot, Provincial Treaſurer, ſince the laſt Settlement, at ſundry Times, — — — 169 11 0
Commiſſions on 169 l. 11*s*. at 10 l. per Cent, — — 16 19 1
Balance due to the Province, 168 19 9½
£ 357 9 10½

Submitted to the Correction of the Houſe, 6th Month 26, 1748, by
JAMES MORRIS, JOHN OWEN,
EDWARD WARNER, JAMES WEBB."
ABRAHAM CHAPMAN,

The Gentlemen, appointed to carry the Meſſages of the Houſe to the Preſident and Council, report, that they delivered the ſame to the Preſident at his own Houſe, who made no Objection to the propoſed Time of Adjournment.

Then the ſeveral Orders for the Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being ſigned by the Speaker, by Order of the Houſe;

The Houſe adjourned to the Thirtieth Day of *September*.

INCIDENTAL CHARGES.

Incidental Charges.

TO *John Kinſey*, Eſq; Chief Judge of the Supreme Court, — £ 200 0 0
To *Thomas Græme*, Eſq; another of the Judges, — 60 0 0
To *William Till*, Eſq; another of the Judges, — 60 0 0
To *Richard Patridge*, Eſq; his Salary as Agent, £100 Sterling, — 165 0 0
To the Members of the Aſſembly, for their Attendance, — 278 17 0
To *Tench Francis*, Eſq; Attorney General, — 70 0 0
To *James Morris*, for 28 Days Attendance on the Committee of Accounts, 7 0 0
To *Edward Warner*, for 28 Days Ditto, — 7 5 0
To *Abraham Chapman*, for 24 Days Ditto, — 6 0 0
To *John Owen*, for 21 Days Ditto, — 5 0 0
To *James Webb*, for 6 Days Ditto, — 1 10 0
To *Richard Peters*, Eſq; Secretary, his Salary as Clerk of the Council, 15 0 0
To Ditto, for other Services, — 35 0 0
To *Benjamin Franklin*, as Clerk of the Houſe, and forMaps, Expreſſes, and Poſtage of Letters, &c. in all — 77 1 1
To *Samuel Kirk*, his Salary as Sergeant, — 8 0 0
To *Thomas Burden*, Doorkeeper, for his Attendance on the Aſſembly and Council, and other Services, — 13 0 0
To *Charles Stow*, Doorkeeper of the Council, and for ſerving of Summons, 117 Days, at 2*s*6 per Day, — 14 12 6
To *Thomas James*, for Dieting and Nurſing French Priſoners, 29 19 9
To *Mary Farrel*, for Dieting Ditto, — 2 7 0
To *Hugh Roberts*, for Sundries, as per Account, — 2 17 10
To Dr. *Richard Farmer*, for tending a wounded Indian, as per Bill, 2 10 0
To Dr. *Lloyd Zachary*, for tending ſick Priſoners, as per Bill 3 0 0
To *Dorcas Buchanan*, beſides Ten Pounds Seventeen Shillings paid by the Treaſurer, the Sum of - — 5 12 6
To *James Mather*, in full of his Account — 19 3 10
To *David Coupland*, in full of Ditto, — 21 0 0
To *George Wood*, in full of Ditto, — 4 3 0
£ 1,113 19 6
Brought

				1748.
Brought over	£ 1,113	19	6	
To *William Donaldson*, in full of Ditto,	6	17	0	7th Mo. 3.
To *John Rodolph*, in full of Ditto,	5	17	10	
To *William Parker*, in full of Ditto,	5	0	2¾	
To *Margaret Howes*, in full of Ditto,	5	5	0	
To *James Sterret*, in full of Ditto,	6	10	0	
To Dr. *Alexander Gandouit*,	10	10	0	
To *John Clarys*, for Dieting a French Prisoner, *&c.*	4	4	0	
To *Peter Robinson*, for Dieting, *&c.* of *George Procter*,	9	6	3	
To *Richard Peters*, Esq; for Money advanced on Account of the Public, and for Services in *Indian* Treaties, *&c.*	216	17	2½	
To Ditto for the Balance due on the *Lancaster* Treaty	166	18	0	
To sundry Persons for Goods, &c. *furnished at the* Indian *Treaty*, *viz.*				
To *William Allen*,	16	7	3	
To *William Atwood*	14	12	10	
To *Norris* and *Griffitts*,	6	8	0	
To *Thomas Lawrence*,	41	17	0	
To *Levy* and *Franks*,	70	2	0	
To *Reese Meredith*,	60	0	0	
To *William Till*,	18	0	0	
To Dr. *Thomas Græme*,	9	15	6	
	£ 1,788	7	7¼	

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1748.

BY the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen were chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.* 8th Mo. 14.

For *Philadelphia* County.
John Kinsey,
Isaac Norris,
Owen Evans,
Hugh Evans,
Edward Warner,
Joseph Trotter,
James Morris,
Oswald Peele.

For *Bucks* County.
Derick Hogeland,
Mahlon Kirkbride,
Cephas Child,
Joseph Hampton,
Abraham Chapman,
John Watson,
George Logan,
Richard Mitchel.

For *Chester* County.
Thomas Worth,
George Ashbridge,
Francis Yarnal,
John Davis,
John Owen,
Joseph James,
Thomas Chandler,
Joseph Gibbons.

For *Philadelphia* City.
Israel Pemberton, *Thomas Leech*, } Burgesses.

For *Lancaster* County.
John Wright, *James Webb*,
Arthur Patterson, *Peter Worral*.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and JOHN KINSEY, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Owen Evans*, *Thomas Leech*, *Derick Hogeland*, *Thomas Worth* and *Arthur Patterson* wait upon the President and Council, and acquaint them, that a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when the Board will be pleased to receive the House with their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment 8th Mo. 15.

The Gentlemen appointed to wait on the President and Council with the Message of Yesternight, report, that they delivered the same according to Order; and that the President was pleased to say, As soon as the Council was met, they would acquaint the House when they should be ready to receive them with their Speaker.

A Message from the President and Council, by the Secretary, *viz.*

Mr. *Speaker*,

The President and Council are now met, and ready to receive the House.

And the Secretary being withdrawn;

The

1748. 8th Mo. 15. The Speaker firſt, and then the ſeveral Members of the Houſe, took the Qualification, and ſubſcribed the Declaration, by Law required to be taken and ſubſcribed by the Members of Aſſembly.

Reſolved, That *Benjamin Franklin* be Clerk to this Houſe for the enſuing Year.

And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Sergeant at Arms to this Houſe for the enſuing Year.

Reſolved, That *Thomas Burden* be Doorkeeper to this Houſe for the enſuing Year.

Then the Speaker, with the whole Houſe, waited on the Preſident and Council.

And being returned,

The Speaker reſumed the Chair, and reported, That he had, with the whole Houſe, waited on the Preſident and Council, and acquainted them, that the Repreſentatives of the Freemen of this Province, being met in Purſuance of the Charter and Laws of this Province, had been pleaſed to make Choice of him for their Speaker; that the Houſe had this Day taken the Qualification by Law directed; and are ready to receive any Thing the Preſident and Council may have to lay before them, tending to the Peace and Proſperity of the Province, in which the Concurrence of the Houſe is neceſſary. To which the Preſident and Council had been pleaſed to anſwer, They had ſomething to lay before the Houſe, which ſhould be ſent down by the Secretary.

The Secretary attending, was called in, and by Order of the Preſident and Council laid before the Houſe *Conrad Weiſer's* Journal of his Proceedings with the *Indians* at *Ohio*, and *George Croghan's* Account of the Expences accruing thereupon.

The Secretary repreſented to the Houſe, that he thinks himſelf underpaid for his Services of the laſt Year, in the Allowance made him by the laſt Aſſembly, and requeſted that this Houſe would re-conſider his Accounts; and then withdrew.

The Papers ſent down by the Preſident and Council were read.

Ordered, That the Sheriff of *Lancaſter* County attend the Houſe, and amend his Return of the Repreſentatives choſen for that County.

A Petition from a Number of Freeholders and Electors of the County of *Bucks* was preſented to the Houſe and read, ſetting forth, that by the Teſtimony of ſundry Freemen preſent at the Cloſe of the late Election at *Newtown*, it appears that divers Matters relating thereto were tranſacted partially, illegally, and in direct Oppoſition to the Privileges granted and intended to the Freemen of this Province; whereby the real Choice of the People was eluded, and an undue Return made of ſome Perſons as Repreſentatives for the ſaid County; and praying that the Houſe would enquire into the ſame, and grant Redreſs. *Ordered to lie on the Table.*

A Petition from *John Hall*, of *Briſtol*, in the County of *Bucks*, was preſented to the Houſe and read, ſetting forth, That he is credibly informed he was duly choſen at the laſt Election a Repreſentative for the ſaid County; but that near the Cloſe of the Election a Quantity of Tickets were gathered up from off the Floor by the Coroner, and read as lawful Votes, whereby ſeveral Perſons became higher than the Petitioner in Number of Votes, who before were far below him, and thereupon returned by the Sheriff as duly elected, the Petitioner being excluded: And as the Practice of allowing Votes to be genuine which are picked up from under the Table, and therefore cannot be proved ſuch, may elude any Election, and deprive the People of one of their moſt valuable Privileges, ſince it is ſo eaſy for ill-diſpoſed Perſons to convey a Quantity of Tickets there unobſerved; the Petitioner prays, that the Houſe would take the ſame into Conſideration, and grant to the People, as well as the Petitioner, ſuch Redreſs as ſhall ſeem meet. *Ordered to lie on the Table.*

Sundry Depoſitions, in Support of the ſaid Petitions, were alſo read, and ordered to lie on the Table.

Reſolved, That *Richard Patridge*, Eſq; be Agent of this Province for the enſuing Year, at the Court of *Great Britain*.

Ordered, That *Thomas Leech* and *Iſrael Pemberton* be, with the Speaker, a Committee of Correſpondence.

Ordered, That *Edward Warner*, *Oſwald Peele*, *James Morris*, *Cephas Child*, *John Owen* and *James Webb* be a Committee to audit and ſettle the Accounts of the General Loan-Office, and other public Accounts, and to ſink and deſtroy the old Bills of Credit received in Exchange purſuant to the laſt Paper Money Acts: And they have Power to ſend for Perſons, Papers and Records.

Ordered, That *Thomas Leech*, *Joſeph Trotter*, *Joſeph Hampton*, *George Aſhbridge* and *Arthur Patterſon* be a Committee of Aggrievances for the enſuing Year: And they have Power to ſend for Perſons, Papers and Records.

Ordered, That the Minutes be printed, and that *Thomas Leech* and *Iſrael Pemberton* be a Committee to reviſe them before they are printed.

Ordered, That the Petitioners complaining of an undue Election and Return of ſome of the Repreſentatives for the County of *Bucks*, ſerve the Sheriff and Inſpectors at the late Election there with Copies of their Petitions, and the Affidavits accompanying them;

and

and give the said Sheriff and Inspectors Notice, to attend the House on the seventh of *November* next. And that the Complainants and their Witnesses attend at the same Time. 1748. 8th Mo. 15.

Resolved, That the House will this Day adjourn to the seventh Day of *November* next.

Ordered, That *Joseph Trotter*, and *James Morris*, wait on the President and Council, and acquaint them, that the House intends to adjourn this Day to the seventh of *November* next, if they have no Objection to that Time.

The Gentlemen return and report, that they have been to the Council Chamber, and that the Council is not sitting.

Ordered, That the same Gentlemen acquaint the President and Council with the Time of Adjournment.

Then the House adjourned to the seventh Day of *November* next. Adjournment

THE House met pursuant to their Adjournment. 9th Mo. 7.

Mahlon Kirkbride, returned a Representative for the County of *Bucks*, appeared in the House, and took and subscribed the Qualification by Law appointed to be taken by the Members of Assembly, and then took his Place in the House accordingly.

Ordered, That *Joseph Trotter* and *Edward Warner* wait upon the President and Council, and aquaint them, that the House is met pursuant to their Adjournment, and ready to receive any Thing they may have to lay before the House.

Two Petitions from a Number of Freeholders and Electors of the County of *Bucks*, complaining of an undue Election and Return of some Persons as Representatives for that County, were presented to the House, and read.

And the Order of the Day being read,

Ordered, That the Matter of the several Petitions presented to this House, complaining of an undue Election and Return of Representatives for the County of *Bucks*, be heard at the Bar of this House To-morrow Morning at Ten o'Clock.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed Yesternight to wait on the President and Council with the Message of the House, report, that they delivered the same according to Order. 9th Mo. 8.

John Watson, returned a Representative for the County of *Bucks*, appeared in the House, and took and subscribed the Qualification by Law required to be taken by the Members of Assembly, and then took his Seat in the House accordingly.

The Sheriff of *Lancaster* attending, according to the Order of the House, was called in, and amended his Return, by erasing the Word *Five*, and inserting the Word *Eight*, in the Date of the Year of our Lord, and then withdrew.

The President and Council sent down a verbal Message by the Secretary, acquainting the House, that the young Man of *Carolina*, who had been taken Prisoner by the *Indians* on the Borders of that Province, and whose Liberty was procured by *Conrad Weiser*, Interpreter to this Government, at the late Treaty at *Ohio*, is now come to Town, in order to go to *Carolina* in the Man of War; but is in Want of Clothing, and all other Necessaries; and therefore recommending it to the House to order him to be supplied with the same. *Referred to further Consideration.*

The House being informed, that the Petitioners, complaining of an undue Election and Return of some of the Representatives of *Bucks* County, were attending, together with the Sheriff and Coroner, and the Inspectors of the Election; they were called in, and acquainted that the House would hear the Merits of the said Election and Return this Afternoon; and that the Parties had Leave to be heard by Counsel, if they thought fit.

Then the House adjourned to Three o'Clock in the Afternoon. Adjournment

The House proceeded to the Hearing of the Matters contained in the several Petitions complaining of an undue Election and Return for the County of *Bucks*. *Post Meridiem*

And the Parties, with their Counsel, being called in:

The Counsel for the Petitioners was heard, and examined several Witnesses, in order to prove, that towards the Close of the Election, a Number of Tickets, which did not appear folded up like those delivered in by the Electors, but much rumpled, were taken up from off the Floor, by the Coroner, and put among the remaining genuine Tickets; that the Floor had but just before been inspected, and no Tickets were then lying there; that the Reading of those Tickets so picked up, was opposed by some of the Electors; but that they were nevertheless read; that immediately before they were read, the Tallies were counted, and that *John Hall*, *Mark Watson* and *Richard Walker* had then more Votes than *Abraham Chapman*, *John Watson*, or *Richard Mitchel*; particularly that *John Hall* had about twenty Votes more than either of them.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters of the several Petitions, complaining of an undue Election for the County of *Bucks*, be adjourned till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House met, and adjourned to Ten o'Clock To-morrow Morning. 9th Mo. 9.

1748. 9th Mo. 10. The Houſe proceeded to the further Hearing of the Matters of the ſeveral Petitions complaining of an undue Election and Return for the County of *Bucks*.

And the Parties being called in,

The Counſel for the Petitioners examined ſeveral other Witneſſes in further Support of the Petitions; and having gone through their Evidence; it was

Ordered, That the further Hearing of the Merits of the ſaid Return, be adjourned to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock in the Afternoon.

Poſt Meridiem The Houſe proceeded to the further Hearing of the Merits of the Election and Return of ſeveral Repreſentatives for *Bucks* County.

And the Parties being called in;

The Counſel for the Sheriff and other Judges of the Election was heard, and examined ſeveral Witneſſes, in order to prove: That the Back-part of the Drawer, in which the Tickets received from the Voters were uſually put, did not ſhut cloſe to the Table; That, when the ſaid Drawer became crowded full of Tickets, ſome were apt to get over, through the Vacancy, and fall to the Ground; That this had been the Caſe in ſeveral preceeding Elections; That at the ſame Election ſeveral Tickets alſo fell out of the Drawer, in which the Names of thoſe choſen for Aſſeſſors were put, concerning which there is no Suſpicion of Fraud; That the Aſſeſſors Tickets taken up from under the Table, were ſome open, and ſome rumpled, in the ſame Manner with thoſe for Aſſembly-men; and that the latter appeared to be, and were judged by moſt of the Inſpectors to be genuine Tickets; That on Inſpection they appeared to be promiſcuous Tickets, containing the Names of the different Candidates pretty equally divided, which was alſo obſerved in the Reading of them.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Bucks* County Election and Return be adjourned till the next Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

9th Mo. 11. The Houſe proceeded to the further Hearing of the Merits of the Return of ſeveral Repreſentatives for *Bucks* County.

And the Parties being called in;

The Counſel for the Sheriff, &c. proceeded in their Evidence, and examined ſeveral Witneſſes, in further Support of the Return.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Bucks* County Return be adjourned till the Afternoon.

Adjournment. Then the Houſe adjourned till Three o'Clock in the Afternoon.

Poſt Meridiem The Houſe proceeded to the further Hearing of the Merits of the Return for *Bucks* County.

And the Parties being called in;

The Counſel for the Sheriff and Inſpectors proceeded in their Evidence, and examined ſeveral other Witneſſes, in further Support of the Return. And propoſing to examine *John Chapman*, Coroner of the ſaid County, as another Witneſs; the ſame was oppoſed by the Counſel for the Petitioners; who alledged that the ſaid *Chapman* was the Perſon who found the diſputed Tickets under the Table, and was ſuſpected to have conveyed them thither. Whereupon

The Parties were ordered to withdraw.

And the Members, whoſe Election is controverted, were alſo ordered to withdraw.

And, after ſome Conſideration and Debate concerning the Evidence of the ſaid *John Chapman*, whether it ought to be received in this Caſe;

Reſolved, That the ſaid *Chapman* be examined before the Houſe.

Then the withdrawn Members were called in.

And the Parties were called in.

Then the Counſel for the Sheriff and Inſpectors examined *John Chapman*, in further Support of the Return.

And the Liſt of the Electors, and Papers on which the Votes were tallied by the Clerks, being delivered at the Table by the Sheriff, who, with the Clerks, took their reſpective Qualifications, that the ſame were genuine:

The Parties were ordered to withdraw.

The further Conſideration of the Merits of the ſaid Election was adjourned till To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

9th Mo. 12. The Houſe, according to the Order of the Day, proceeded to the further Conſideration of the Merits of the *Bucks* County Election: And, after ſome Debate,

Reſolved, That the Houſe will this Afternoon proceed to determine concerning the Election in Diſpute, on the Evidence now before them.

Then

1748.

Then the House adjourned to Three o'Clock, P. M. 9th Mo. 12.

Ordered, That the Treasurer provide Clothing and other Necessaries for the Prisoner redeemed from the *Indians*, that he may be sent home to *Carolina*.

Adjournment *Post Meridiem.*

The House resumed the Consideration of the Affair of the Election in *Bucks* County; and the Members whose Election was controverted being withdrawn, the Question, after long Debate, was put,

That the Speaker send his Warrant to the Secretary, to issue a Writ to the Sheriff of *Bucks* County, directing the Election of a Representative for that County, in the Room of *Richard Mitchel*? *Past in the Negative.*

Then the Question was put, That the Speaker send his Warrant to the Secretary, to issue a Writ to the Sheriff of *Bucks* County, directing the Election of a Representative for that County, in the Room of *John Watson*? *Past in the Negative.*

Then the Question was put, That the Speaker send his Warrant to the Secretary, to issue a Writ to the Sheriff of *Bucks* County, directing the Election of a Representative for that County, in the Room of *Abraham Chapman*? *Past in the Negative.*

Then the said Members were called in, and took their Places in the House.

Resolved, That the House will this Day adjourn to the first second Day in the 11th Month next.

Ordered, That *Edward Warner* and *James Morris* wait upon the President and Council, and acquaint them, that the House intends to adjourn this Day to the first second Day in the next 11th Month.

The Gentlemen return and report, that they have been to the Council Chamber, and the Council are not sitting.

Ordered, That they acquaint the President, as soon as conveniently may be, with the Time of Adjournment.

Then the House adjourned to the first 2d Day in the next 11th Month. Adjournment

THE House met pursuant to their Adjournment. *11th Mo.* 2.

Ordered, That *Isaac Norris*, *Israel Pemberton*, *Mahlon Kirkbride*, *Thomas Worth* and *James Webb* wait upon the Governor, and acquaint him, that the House is met in order to proceed upon the Business of the Year; and that, if he hath any Thing to lay before them, they are ready to receive it.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to require the Attendance of the House this Day at Twelve o'Clock in the Council Chamber. *11th Mo.* 3.

A Message from the Governor, by the Secretary, *viz.*

Mr. SPEAKER,

The Governor requires the Attendance of the House in the Council Chamber immediately.

Then the Speaker with the whole House waited on the Governor.

And being returned,

The Speaker resumed the Chair, and reported, That the House had waited on the Governor in the Council Chamber, and that the Governor had been pleased to make a Speech to the House, a Copy of which had been delivered to the Speaker;

And the same being read, follows in these Words, *viz.*

Mr. SPEAKER, *and* GENTLEMEN *of the Assembly*,

The Governor's Speech to the House of Assembly.

'I Should have called you together immediately after my Arrival, if I had either observed, or been informed, His Majesty's Interest, or that of the Country, required it; but as no Necessity of that kind appeared, I forbore to give you the Trouble of meeting in Assembly before the Time yourselves had appointed for the Dispatch of public Business.

'It is with great Pleasure I now see you met in your legislative Capacity, and very gladly embrace the Opportunity it affords me of signifying to you, by the express Command of the honourable Proprietaries, the great Affection they bear to the Inhabitants of this Province; the earnest Desire they have to preserve Peace and Concord among them; and the particular Satisfaction they receive by their Welfare and Prosperity; and as I know them to be perfectly sincere in their Professions, I have not the least Apprehension but they will meet with suitable Returns of Gratitude from you.

'Having been for some Time absent, it cannot be presumed the Condition and Circumstances of the Country are so well known to me, as to Gentlemen who have constantly resided on the Spot, and who being the Representative Body of the People, are to be supposed best acquainted with their real Wants and Expectations: Wherefore, I shall for the present decline laying any Thing before you on my Part; at the same Time I very sincerely assure you, that whatever Bills you shall judge proper to present for my Approbation, shall be favourably received, and considered with Attention; and where

'they

1748. 11th Mo. 3. 'they ſhall appear to be, as I doubt not they will, for the general Utility of the People, 'and not inconſiſtent with the Duty I owe to his Majeſty, or the Rights of the honour- 'able Proprietaries, they ſhall be ſure to receive my moſt ſpeedy and hearty Concurrence.

'With reſpect to myſelf, I have little to ſay: It is now a long Time ſince I have been 'perſonally known to moſt of you; and from thence you are much better able to form 'a Judgment of my Regard for your Liberties, both Civil and Religious, than by any 'Thing I can ſay in my own Behalf: One Circumſtance, however, you will give me Leave 'to take Notice of, as it is, in my Opinion, no unfavourable one to the People you 'repreſent: That having myſelf a conſiderable Stake in the Province, it is really my 'Intereſt, as well as Inclination, to ſupport them in the Enjoyment of all their juſt Rights 'and Privileges; ſince, whenever the Time ſhall come in which I ſhall ceaſe to be their 'Governor, and return to a private Station, I ſhall find myſelf, my Family and Friends, 'equally affected with every other Perſon, by any Injury the Conſtitution may ſuffer 'under my Adminiſtration.

'I ſhall conclude what I have to ſay at this Time with entreating you, that all Tranſ- 'actions between us may be carried on with Candour and Moderation, as the moſt ef- 'fectual Means of avoiding diſagreeable Animoſities, and uniting us in the ſtrict Bands 'of Friendſhip and mutual Confidence, ſo neceſſary for the public Good. This is what 'I will endeavour by every Method in my Power; and I have no Reaſon to doubt that 'you, Gentlemen, are now come together with like Sentiments and Inclinations."

The Governor's Speech was again read, Paragraph by Paragraph, and conſidered;

Ordered, That *Iſaac Norris*, *Thomas Leech*, *Iſrael Pemberton*, *Abraham Chapman*, *Francis Yarnal* and *Peter Worral* be a Committee to prepare a Draught of an Addreſs in Anſwer to the ſame, and report it to the Houſe.

Adjournment 11th Mo. 4. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to prepare a Draught of an Addreſs in Anſwer to the Gover- nor's Speech, reported the ſame to the Houſe, and it was read by Order, and approved of, and ordered to be tranſcribed.

A Petition from a great Number of the Inhabitants of the City of *Philadelphia*, ſetting forth the Loſs ſuffered in their daily Dealings for Want of ſmall Change, and praying a Remedy; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Addreſs to the Governor being tranſcribed, according to the Order of the Houſe, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Governor to the Aſſembly. WE heartily congratulate the Governor on his Acceſſion to the Government of this Province, and ſafe Arrival amongſt us: And we return him our ſincere Thanks for his favourable Speech at the Opening of this Seſſion, and for the Regard he hath been pleaſed to ſhew us, in forbearing to call us together before the Time we had appointed for the Diſpatch of public Buſineſs.

The great Affection our honourable Proprietaries are pleaſed to expreſs "to the Inha- bitants of this Province," their Deſires "to preſerve Peace and Concord amongſt them," and "the particular Satisfaction they receive from their Welfare and Proſperity" juſtly merit thoſe grateful Returns, which we are perſuaded they will ever receive from the Freemen of *Pennſylvania*.

Though the Governor has been ſome Time abſent, yet his former long Acquaintance and thorough Knowledge of the public Affairs of the Province, joined with his diſtin- guiſhed Abilities, render him a very competent Judge of the Bills which ſhall be preſented to him, in order to be paſt into Laws. Such only we are determined to offer, as ſhall appear to us to be for the general Utility of the People, and conſiſtent with the Duty we all owe to the King, as well as with a due Regard "to the Rights of the honourable the Proprietaries;" and we gratefully acknowledge the Obligation we are laid under in the Aſſurance the Governor is pleaſed to give us, that ſuch "ſhall be ſure to receive his moſt ſpeedy and hearty Concurrence."

The Fidelity, Impartiality and Juſtice, with which the Governor lately acquitted him- ſelf in the principal and moſt honourable Office within this City, as well as on other Occaſions, leave us no Room to doubt "his Regard to our Liberties, both Civil and Re- ligious." And it merits our particular Acknowledgments to the honourable the Proprie- taries, that they have been pleaſed to confer the Government on a Gentleman of ſo con- ſiderable an Eſtate among us; whoſe "Intereſt," we know it is, and whoſe "Inclination" we believe it to be, to ſupport the People of this Province, "in the Enjoyment of all their juſt Rights and Privileges."

We ſhall chearfully purſue the Steps the Governor is pleaſed to point out to us, of carrying on "with Candour and Moderation," Tranſactions between us;" and on our Part endeavour, not only to maintain "the ſtrict Bonds of Friendſhip and mutual Confidence, neceſſary for the public Good, but to ſhew the juſt Regard we entertain for the Government, by making an honourable Proviſion for its Support."

Ordered,

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and desire to know when he will be pleased to receive the House, that they may present their Address. 1748. 11th Mo. 4.

Resolved, That a Present of *Six Hundred Pounds* be at this Time given to the Governor.

A Petition from a Number of Inhabitants of *Chester* County, setting forth the Mischief done to the Corn by the great Increase of Squirrels, and praying that an Act may be made to encourage the Killing of them, was presented to the House, and read, and

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would receive the House this Day at Twelve o'Clock in the Council Chamber. 11th Mo. 5.

An Order being drawn for the Payment of *Six Hundred Pounds* to the Governor, was signed by the Speaker, by Order of the House.

The engrossed Address to the Governor was signed by the Speaker, by Order of the House.

Then the House being informed that the Governor and Council were met, the Speaker with the whole House waited upon the Governor.

And being returned,

The Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Order on the Treasurer for *Six Hundred Pounds*, together with their Address, to which the Governor had been pleased to make the following Answer, *viz.*

GENTLEMEN,

'I Heartily thank you for this kind and affectionate Address. The favourable Sentiments 'you are pleased to entertain of me, give me a particular Pleasure; as by an Harmony 'between the several Parts of the Legislature, we shall be the better able to recommend 'ourselves to his Majesty, give Satisfaction to the Proprietaries, and consult the true In-'terest of the People. The Governor's Answer to the Address of the House.

'The Present you have, in so handsome a Manner, now made me, previous to our 'entering upon Business, is a Mark of Confidence, which I trust you will find not ill 'placed; since I think myself, by this Confidence, laid under the strongest Obligations 'of exerting my best Endeavours for the Service of the Province."

Then the House adjourned to Three o'Clock in the Afternoon. Adjournment *Post Meridiem*

A Petition of sundry Inhabitants of *Philadelphia* County, setting forth the Inconveniencies arising by the great Numbers of Horses brought into this Province from *New-England*, and praying a Stop may be put to that Trade, *&c.* was presented to the House, and read, and

Ordered to lie on the Table.

A Petition from the Commissioners of the County of *Chester*, praying, for the Reasons therein mentioned, an Alteration in the Law concerning the Allowance made the Owners of Lands through which Roads are laid; was presented to the House, and read, and

Ordered to lie on the Table.

The Petition of the Inhabitants of *Philadelphia*, relating to small Money for Change, was again read, and referred to further Consideration To-morrow Morning.

The Petition for a Law to encourage the Killing of Squirrels, was again read, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition against the Bringing in of Horses from *New-England*, &c. was again read, and referred to further Consideration. 11th Mo. 6.

Ordered, That the Superintendants of the State-house provide Screens and Curtains for the Assembly Room.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Petition from the Commissioners of *Chester* County, relating to Roads, *&c.* was again read, and referred to further Consideration. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition relating to small Money for Change, was again read, and considered, and after some Debate, 11th Mo. 7.

Ordered, That *Isaac Norris*, *Thomas Leech*, *Abraham Chapman*, *Thomas Worth* and *Arthur Patterson* be a Committee to prepare and bring in a Bill for making an Addition of *Twenty Thousand Pounds* to our Paper-Currency, Part thereof in small Bills.

Ordered, That *Edward Warner*, *Israel Pemberton*, *Cephas Child*, *John Owen* and *Peter Worral* be a Committee to revise the Act for settling Intestates Estates.

Ordered, That *James Morris*, *Joseph Trotter* and *Oswald Peele* be a Committee to revise the Acts relating to the Poor, that are now in Force, and to bring in a Bill for amending the same.

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Then the Houſe adjourned to the next Second-day, at Three o'Clock, *P. M.*

11*th Mo.* 9. The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 10. A Bill for the new Appointment of Truſtees of the General Loan-Office of *Pennſylvania*, and for the making current *Five Thouſand Pounds* in new Bills of Credit, to exchange ſuch of thoſe, now by Law current, as are torn and defaced, was read the firſt time, and ordered a ſecond Reading.

The Petition for a Law to encourage the Killing of Squirrels, was again read.

Ordered, That *John Owen*, *Owen Evans* and *Abraham Chapman* be a Committee to prepare and bring in a Bill for that Purpoſe.

Adjournment 11*th Mo.* 11. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Petition from a Number of Inhabitants of *Bucks* County, praying, for the Reaſons therein mentioned, that a Bounty may be given for the Killing of Squirrels, was read, and *Ordered to lie on the Table.*

A Petition of the Inhabitants of *Gwynedd* and *Montgomery*, in the County of *Philadelphia*, ſetting forth, that the Bringing in of Horſes from other Provinces to ſell, is a Diſcouragement to the Farmers of this Province, who would raiſe valuable Horſes for Sale; and that many Horſes are loſt, ſuppoſed to be driven away by the Jockeys travelling through the Country; and praying that the Houſe would conſider the Premiſes, and take proper Meaſures for the Relief of the Inhabitants therein; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

Ordered, That *Edward Warner* be added to the Committee appointed to bring in a Bill for amending the Laws relating to the Poor.

An Account from *James Whitehead*, Keeper of the Workhouſe, amounting to *Two Pounds Eighteen Shillings*, for maintaining *French* Priſoners, was preſented to the Houſe, and read.

Ordered, That *Edward Warner* and *Oſwald Peele* inſpect the ſaid Account, and report what may be fit for the Houſe to do therein.

Adjournment 11*th Mo.* 12. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Petition from *Conrad Weiſer*, praying to be appointed a Truſtee of the Loan-Office for the County of *Lancaſter*, was read, and *Ordered to lie on the Table.*

A Petition from a great Number of the Inhabitants of *Lancaſter* County, on the Weſt-ſide of the River *Saſquehannah*, ſetting forth, that they labour under very great Difficulties on Account of their diſtant Situation from the County Town, where the Courts are held, and Juſtice is diſtributed, the River alſo intervening, which at ſome Times cannot be paſſed for many Days; that Proſecutions are diſcouraged by the Expence and Loſs of Time attending them, and wicked and diſorderly Perſons, who reſort to the remote Parts of the Province, are encouraged to commit Thefts and other Crimes, from the greater Proſpect of eſcaping Juſtice; that the Tract of Land lying on the Weſt-ſide of *Saſquehannah*, and between the *South Mountain* and *Maryland*, is now well inhabited, and of ſufficient Extent for a County, and the People able and willing to bear the Charge; and therefore praying that the ſaid Tract of Land may be divided from the County of *Lancaſter*, and erected into a new County; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

A Bill for amending the Laws relating to the Partition and Diſtribution of Inteſtates Eſtates, and concerning the Probate of Wills, was brought in, and read the firſt time, and ordered a ſecond Reading.

A Bill to encourage the Killing of Squirrels within this Province, was read the firſt time, and ordered a ſecond Reading.

Adjournment 11*th Mo.* 13. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Bill for amending the Laws relating to the Poor, and for the better Appointment of Overſeers of the Poor within the City of *Philadelphia*, was read the firſt time, and ordered a ſecond Reading.

The Bill to encourage the Killing of Squirrels within this Province, was read a ſecond time, and the farther Conſideration thereof referred to the Afternoon.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Four o'Clock in the Afternoon.

The Houſe proceeded in conſidering the Bill to encourage the Killing of Squirrels within this Province, and the ſame being read Paragraph by Paragraph, and debated, was ordered to be tranſcribed for a third Reading.

Adjournment 11*th Mo.* 14. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Petition from the Inhabitants on the Weſt-ſide of *Saſquehannah*, praying that the Tract of Land between the *South Mountain* and *Maryland* may be erected into a new County, was again read.

Ordered, That the Petitioners have Leave to be heard by themſelves, or any other Perſon in their Behalf, in Support of their Petition, on *Fifth-day* next, at Ten o'Clock in the Morning.

Adjournment 11*th Mo.* 16. Then the Houſe adjourned to the next *Second-day*, at Three o'Clock, *P. M.*

The Houſe met according to their Adjournment.

An

An Account from *Conrad Weiser*, for his Services and Expences in *Indian* Affairs, was laid before the House, and read, and referred to further Consideration. 1748. 11*th Mo.* 16.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Conrad Weiser's Account was again read. 11*th Mo.* 17.

An Account of *Morris Brennan*, for Service done at the *Indian* Treaty at *Lancaster*, was laid before the House, and read;

Ordered, That the Committee of Public Accounts inspect the said Accounts, and report thereon to the House; and that *Isaac Norris* be added to the Committee on this Affair.

The Committee appointed to examine *James Whitehead's* Account, report it as their Opinion that the same be allowed, which the House agreed to, and an Order was directed to be drawn on the Treasurer for the Payment.

The Bill for amending the Laws relating to the Poor, and for the better Appointment of Overseers of the Poor within the City of *Philadelphia*, was read a second time, and committed to the Committee who brought in the same, for Amendments.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

A Petition from the Commissioners and Assessors of the County of *Philadelphia*, setting forth, that the Court-house, Prison and Work-house of the said County, being built and kept in Repair at the Charge of the County, they are of Opinion that all Profits or yearly Incomes arising from the said Houses, should be appropriated for the Use of the County; that they are also of Opinion, Persons of good Repute may be found, who would give a yearly Rent for the Work-house, as the Perquisites and Profits of Labour arising from that House may well afford; And that it is reasonable the Vendue-Master should pay the County a Rent, for the Use he makes of the Court-house twice a Week. But as the Petitioners conceive no Person is authorised to set to Rent the said public Buildings, or receive such Rents, they pray the House would take the same into Consideration, and do therein as to them shall seem meet; farther praying, that some Provision may be made to prevent the Cake-Women taking up the Room of the Market on Market-Days, by setting up their Stalls therein before the Market is over; was presented to the House, and read, and *Ordered to lie on the Table.*

Some of the Petitioners for a new County on the West-side of *Susquehannah* attending, were called in, and gave the House an Account of the Settlements and Inhabitants on the Tract of Land requested to be erected into a County; and having answered such Questions as were asked of them for the Satisfaction of the House, they withdrew; and the further Consideration of that Petition was adjourned until To-morrow.

A Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills, was read, and ordered a second Reading.

A Petition from a Number of Inhabitants of the City and County of *Philadelphia*, setting forth, that sundry Lands and real Estates in this Province have been entailed, and particularly some very valuable Lots in this City; that the Tenants for Life are very much discouraged from improving, as they must, among other Inconveniencies, thereby injure their younger Children; and where the Ancestor has made and left good Buildings, their Ruin and Decay has often been occasioned by the Entail; that great Losses have happened to the Inhabitants by giving Credit to a Man in Possession of an entailed Estate, such Estates here affording seldom more than a Maintenance, and often not so much; and on the Decease of the Tenant for Life, all his Debts, some even for the Improvement of the Estate, have been and are still liable to be entirely lost; that in a young Country all Encouragements should, the Petitioners conceive, be given, to induce the Inhabitants to improve their Estates; but that Entails are great Checks to the Growth of both Provinces and Cities; and have often been the Means of making elder Children undutiful, and leaving the younger without Portions; that, though some Attempts have been made here to dock Entails, which the Petitioners are informed have been effectual, yet they have been attended with great Expence, and after all the Title has not been generally satisfactory to the People; therefore praying, that the House would take the Premises into Consideration, and provide such Remedy as to their Wisdom shall seem meet; was presented to the House, and read, and *Ordered to lie on the Table.*

The Committee of Public Accounts report, that they have examined the Accounts of *Conrad Weiser* and *Morris Brennan*, and are of Opinion they should be paid.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from sundry Inhabitants of *Bucks* County, setting forth, that the great Quantities of Cattle yearly driven into this Province from the Southern Governments, fill our Markets with Beef, which not being good, hurts the Credit of our Trade in that Article, and at the same Time lowers the Value, and prevents the Sale of Cattle raised by the Inhabitants; that the Numbers of Horses yearly brought from *New-England* into this Province by Traders in that Way, who buy up and take away large Quantities of our Deer-Skins and Furs in Return, both prevents the Sale, and sinks the Value of Horses raised here, and enhances the Prices of Skins, *&c.* to the Grievance of the People: 11*th Mo.* 18.

And

1748. 11th Mo. 18. And therefore praying the Houſe would take the ſame into Conſideration, and provide a Remedy; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

Reſolved, That an Order iſſue under the Hand of the Speaker, for the Payment of *One Hundred and Thirty-three Pounds Two Shillings* to *Conrad Weiſer*, in full of his Account, and for his Services to the Public to this Day.

The Houſe reſumed the Conſideration of the Petition for a new County on the Weſt-ſide of *Saſquehannah*, and after ſome Debate thereupon,

Reſolved, That Leave be given to the Petitioners to bring in a Bill for the Purpoſes of their Petition, at the next Seſſion; and that if any others of *Lancaſter* County are againſt the Diviſion of that County, they have Leave to be then heard.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

Orders being drawn on the Treaſurer for the Payment of *Conrad Weiſer's* Account, *One Hundred Thirty-three Pounds Two Shillings*; *Morris Brennan's, One Pound Four Shillings*; and *James Whitehead's, Three Pounds Six Shillings*; they were ſigned by the Speaker, by Order of the Houſe.

The Bill for the new Appointment of Truſtees of the General Loan-Office of *Pennſylvania*, and for the making current *Five Thouſand Pounds* in new Bills of Credit, to exchange ſuch of thoſe, now by Law current, as are torn and defaced, was read a ſecond time, and the further Conſideration thereof adjourned till To-morrow Morning.

Ordered, That the ſame Committee, who brought in the above Bill, do alſo prepare and bring in a Bill for making current *Twenty Thouſand Pounds* in Bills of Credit, to be emitted upon Loan.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 19. The Petition againſt Entails was again read, and debated, and after ſome Time ſpent therein, the farther Conſideration thereof was adjourned to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock *P. M.*

Poſt Meridiem The Bill for amending the Laws relating to the Partition and Diſtribution of Inteſtates Eſtates, and concerning the Probate of Wills, was read a ſecond time, and after ſome Time ſpent therein, the further Conſideration thereof was adjourned till To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 20. The Houſe proceeded in reading and conſidering the Bill for amending the Laws relating to the Partition and Diſtribution of Inteſtates Eſtates, and concerning the Probate of Wills; and after ſome Time ſpent therein, it was ordered to be engroſſed for a third Reading.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe reſumed the Conſideration of the Bill for the new Appointment of Truſtees of the General Loan-Office of *Pennſylvania*, and for making current *Five Thouſand Pounds* in new Bills of Credit, to exchange ſuch of thoſe now by Law current, as are torn and defaced;

Reſolved, That the Salaries of the Truſtees be lowered.

Reſolved, That the Salaries of the Truſtees of the General Loan-Office be *One Hundred Pounds* each.

Reſolved, That the higheſt Denomination of the Bills to be ſtruck by this Act, be *Nine-pence*.

Reſolved, That *John Kinſey* be one of the Truſtees of the General Loan-Office nominated in the Bill.

Reſolved, That *James Morris* be nominated in the Bill, another Truſtee of the General Loan-Office.

Reſolved, That *Abraham Chapman* be nominated in the Bill, another Truſtee of the General Loan-Office.

Reſolved, That *Francis Yarnal* be nominated in the Bill, another Truſtee of the General Loan-Office.

Reſolved, That *James Wright* be nominated in the Bill, another Truſtee of the General Loan-Office.

Reſolved, That the Sum of *Fifteen Shillings* be allowed per Thouſand Bills, for Signing the ſame.

Reſolved, That there be five Perſons appointed to ſign and number the ſaid Bills.

And the further Conſideration of the Bill was adjourned till To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 21. The Houſe reſumed the Conſideration of the Bill for the new Appointment of Truſtees of the General Loan-Office of *Pennſylvania*, and for the making current *Five Thouſand Pounds* in new Bills of Credit, to exchange ſuch of thoſe, now by Law current, as are torn and defaced.

Reſolved, That the Time for the Commencement of the Truſt of the new Truſtees be the Sixteenth Day of *May* next.

Reſolved, That *John Jervis* be one of the Signers of the new Bills of Credit.

Reſolved, That *William Trotter* be another of the Signers of the new Bills.

Reſolved,

Resolved, That *Joseph Hamton* be another Signer of the new Bills. 1748.
Resolved, That *John Davis* be another Signer of the new Bills.
Resolved, That *James Webb* be another Signer of the Bills to be struck by this Act. 11th Mo. 21.
Resolved, That only one Signer sign each Bill.
Resolved, That the Bill do pass.
Ordered, That *James Morris* and *Abraham Chapman* carry up the same to the Governor, and desire his Concurrence thereto.

Then the House adjourned to the next *Second-day*, at Three o'Clock, *P. M.* Adjournment

The House met according to their Adjournment. 11th Mo. 23.

The Gentlemen appointed to carry up the Bill for a new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for making current *Five Thousand Pounds* in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced, to the Governor, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would consider it, and give it what Dispatch he could.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

George Croghan's Account was again read, and referred to the Committee of Public Accounts, who are to inspect the same, and report thereon to the House. 11th Mo. 24.

The Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Israel Pemberton* and *Thomas Leech* carry up the same to the Governor, and desire his Concurrence thereto.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to carry the Bill up to the Governor, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give it all the Dispatch he could. *Post Meridiem*

The Petitions of the Commissioners and Assessors of *Philadelphia* County, relating to the Public Buildings of the said County, was again read, and considered;

Ordered, That the Petitioners lay before the House the Deeds of Purchase of the Ground on which the Work-house and Prison are built.

The Petition from *Bucks* County against the Bringing in of Cattle and Horses from other Colonies, was read a second time;

Ordered, That *Owen Evans*, *Thomas Leech*, *George Ashbridge*, *Cephas Child* and *Arthur Patterson* be a Committee to prepare and bring in a Bill to regulate Horse-Jockeys, and prevent the Stealing of Horses.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Bill for making current *Twenty Thousand Pounds* in Bills of Credit, to be emitted upon Loan, was brought into the House, and read the first time, and ordered a second Reading. 11th Mo. 25.

Upon a Motion made in Behalf of the former Trustees, it was

Ordered, That the Bonds given by *Jonathan Robeson*, *Joseph Kirkbride* and *Caleb Copeland*, former Trustees of the General Loan-Office, for the due Execution of that Trust, be delivered up.

An Account from *Joseph Scull*, Keeper of the Goal of *Philadelphia*, for the Diet of sundry Prisoners, amounting to *Thirteen Pounds Seven Shillings* and *Eight-pence*, was laid before the House, and read.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The engrossed Bill to encourage the Killing of Squirrels within this Province, was read the third time. *Post Meridiem*

Resolved, That the Bill do pass.

A Petition from a Number of the Inhabitants of *Chester* County, complaining of the excessive Charges arising from the Mileage allowed to Constables, and praying that the House would remedy the same; was read, and *Ordered to lie on the Table.*

The Governor, by his Secretary, sent down the Bill for a new Appointment of Trustees of the General Loan-Office of *Pennsylvania*, and for the making current *Five Thousand Pounds*, in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced, without Amendment; with a Message, that he was ready to enact it into a Law, when it should be presented to him for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for amending the Laws relating to the Poor, *&c.* was again read, and the further Consideration thereof referred to the Afternoon. 11th Mo. 26.

A Petition of *Samuel Robeson*, of the City of *Philadelphia*, was presented to the House, and read, setting forth, That the Business of Distilling Spirits from Grain, Peaches, *&c.* hath of late very much increased in this Province; but the said Spirits being observed to have some unwholesome Qualities when distilled through Copper Worms, the Petitioner had been prevailed on to study and find out a Method of making Pewter Worms, such

1748. as are uſed in *England*, in which he has ſucceeded; but the Cuſtom of making Copper
11th Mo. 26. Worms ſo generally prevails, that he doth not find ſufficient Encouragement to continue the Buſineſs; and therefore praying the Houſe would take ſuch Meaſures as well for ſecuring the Health of the People, as for the Encouragement of the Petitioner, as to their Wiſdom ſhall ſeem meet. *Ordered to lie on the Table.*

A Certificate from the principal Phyſicians in and near *Philadelphia*, expreſſing their Opinion, that the Uſe of Copper Worms in Diſtilling of Spirits, might communicate ſome Qualities to the Spirits prejudicial to the Health of thoſe that drink them; was laid before the Houſe with the above Petition, and read.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill for making current *Twenty Thouſand Pounds* in Bills of Credit, *&c.* was read a ſecond time, and debated.

Ordered, That the Bill be engroſſed for a third Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 27. The Houſe reſumed the Conſideration of the Bill for amending the Laws relating to the Poor, *&c.* and ſeveral Amendments propoſed in the Houſe being agreed to,

Ordered, That the Bill be engroſſed for a third Reading.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The engroſſed Bill for making current *Twenty Thouſand Pounds* &c. was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *John Owen* and *Cephas Child* carry up the ſame, together with the Bill to encourage the Killing of Squirrels within this Province, to the Governor, and deſire his Concurrence thereto.

The Petition from *Samuel Robeſon*, relating to Copper-worms, was again read, and referred to further Conſideration at the next Sitting.

The Petition from the Commiſſioners of *Cheſter* County, relating to Roads; and

The Petition from *Cheſter* County, relating to the Mileage allowed Conſtables; were again read, and referred to further Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11thMo. 28. The Gentlemen appointed Yeſterday to carry up the Bills to the Governor, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would take them into Conſideration, and give them all the Diſpatch he could.

A Bill to regulate Horſe-Jockeys and Dealers in Horſes; and to prevent the Bringing into this Province for Sale, ſuch as are ſmall, unſizeable, or unſound; was read the firſt time, and ordered a ſecond Reading.

The engroſſed Bill for amending the Laws relating to the Poor, *&c.* was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Edward Warner* and *Joſeph Trotter* carry up the ſame to the Governor, and deſire his Concurrence.

Adjournment Then the Houſe adjourned to the next *Second-day*, at Three o'Clock, *P. M.*

11th Mo. 30. The Houſe met purſuant to their Adjournment.

The Gentlemen appointed to carry up the Bill for amending the Laws relating to the Poor, *&c.* report, that they delivered the ſame to the Governor according to Order, and that the Governor was pleaſed to ſay, he would conſider it.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 31. The Truſtees of the *Province Iſland* laid before the Houſe ſome Propoſals of *John Bleakley* to purchaſe that Iſland, which were read.

The Bill for regulating Horſe-Jockeys and Dealers in Horſes, and to prevent the Bringing into this Province for Sale, ſuch as are ſmall, unſizeable, or unſound, was read a ſecond time, and conſidered; and the further Conſideration thereof was adjourned to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe proceeded in the Conſideration of the Bill for regulating Horſe-Jockeys and Dealers in Horſes, and to prevent the Bringing into this Province for Sale, ſuch as are ſmall, unſizeable, or unſound; and after ſome Debate, it was ordered to be engroſſed for a third Reading.

The Houſe reſumed the Conſideration of the Petition relating to Entails;

Ordered, That *Iſaac Norris*, *Thomas Leech*, *John Owen*, *Mahlon Kirkbride* and *Arthur Patterſon* be a Committee to prepare and bring in a Bill at the next Sitting of the Houſe, for the Purpoſes in that Petition mentioned.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 1. The engroſſed Bill for regulating Horſe-Jockeys and Dealers in Horſes, and to prevent the Bringing into this Province for Sale, ſuch as are ſmall, unſizeable, or unſound, was read the third time.

Reſolved, That the Bill do paſs.

Ordered,

Ordered, That *Owen Evans* and *Mahlon Kirkbride* carry up the same to the Governor, and desire his Concurrence thereto; and withal that they acquaint the Governor, the greatest Part of the Business the House had before them is gone through; and that the greater Dispatch he gives to the Bills under his Consideration, the more he will oblige the House. 1748. 12th Mo. 1.

The Gentlemen return and report, that they waited on the Governor with the Bill, and delivered the Message according to Order; and that the Governor was pleased to say, the Bills under his Consideration should be sent down to the House this Day.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor, by his Secretary, sent down the Bill for amending the Laws relating to the Partition and Distribution of Intestates Estates, and concerning the Probate of Wills; and the Bill to encourage the Killing of Squirrels in this Province, with some proposed Amendments: Also the Bill for amending the Laws relating to the Poor, *&c.* with the following Message in Writing, *viz.* *Post Meridiem*

GENTLEMEN,

'I Have considered, with the greatest Attention, the Bill, entituled, *An Act for amending the Laws relating to the Poor, and for the better Appointment of Overseers of the Poor within the City of* Philadelphia; and perceive it contains many new and wise Provisions, tending to the Utility of the Inhabitants of this City and Province; yet as the greatest Part of the Bill consists of Clauses revoking Powers given by several former Acts, and establishing new in their Places, without assigning any Cause for the Alteration, I cannot pass it as it stands. The Governor's Message to the House of Assembly.

'It would have been very agreeable to me, could I have sent you down the Bill under Amendments; but a small Trial convinced me, the Parts in my Opinion necessary, were so inseparably wove into the repealing Clauses, that the Attempt must end in Obscurity, and a fruitless wasting your Time.

'I wish any Method could be fallen upon to preserve the new and truly valuable Provisions in the Bill. To them you may always be assured of my hearty Concurrence.'

Febr. 1, 1748. *JAMES HAMILTON.*"

The Committee appointed to examine *George Croghan's* Account, report a Balance due to him of *Two Hundred and Twenty-one Pounds*, which was agreed to by the House.

Ordered, That an Order on the Treasurer issue under the Hand of the Speaker for the Payment of the same.

Joseph Scull's Account was again read, and referred to *Edward Warner* and *Joseph Trotter*, who are to examine the same, and report thereon to the House.

A Petition from a Number of the Inhabitants on the Western Side of the River *Schuylkill*, setting forth, that through the great Increase of Inhabitants to the Westward of that River, the Ferries over the same are become exceedingly profitable, the Ferriage being continued at the Rates first established when the Passengers and Carriages crossing the same were very few; that if it was reduced to one Half what is at present taken, those Ferries would still remain more profitable than when first settled; that the Value of Lands on the Western Side of the said River would also thereby be much advanced, and many People of low Circumstances who attend the Market greatly relieved; and therefore praying the House would take the Premises into Consideration, and make such Alteration and Regulation therein as shall seem requisite; was presented to the House, and read, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Amendments proposed by the Governor to the Bills that had been laid before him, and after some Debate, the further Consideration thereof was adjourned to the Afternoon. *12th Mo.* 2.

The Governor, by his Secretary, sent down the Bill for regulating Horse-Jockeys, and Dealers in Horses; and to prevent the Bringing into this Province for Sale, such as are small, unsizeable or unsound; with a Message that he is ready to pass the same into a Law, when it shall be presented to him for that Purpose.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Governor's Message on the Bill for amending the Laws relating to the Poor, *&c.* and after some Debate, *Post Meridiem*

Resolved, That the following Message be sent up to the Governor, in Answer thereunto, *viz.*

May it please the GOVERNOR,

IT gives us some Pleasure to find the Governor express himself so much in favour of some Parts of the Bill, entituled, "*An Act for amending the Laws relating to the Poor*," &c. And we wish, as, in his Opinion, "it contains many new Provisions tending to the Utility of the Inhabitants of this City and Province," the Whole had been such, as that we might have obtained his Assent to it. A Message from the Assembly to the Governor.

We observe, from the Message the Governor was pleased to send us in relation to this Bill,

1748. 12th*Mo.* 2. Bill, that although as it now ſtands he cannot paſs it, yet he is deſirous ſome Method may be fallen upon to preſerve "the new and truly valuable Proviſions in the Bill;" and in this we heartily concur with him. The beſt Expedient we know of to anſwer this good Purpoſe is, to entreat the Governor, he will be pleaſed to reconſider the Bill, and point out ſuch Parts of it as he diſlikes, to the End we may be able to judge, whether, conſiſtently with the Truſt repoſed in us, we can ſo amend the Bill, as to remove the Objections againſt its Paſſage."

The Houſe reſumed the Conſideration of the Amendments propoſed by the Governor to the Bill for amending the Laws relating to the Partition and Diſtribution of Inteſtates Eſtates, and concerning the Probate of Wills, and after ſome Debate,

Reſolved, That the following Meſſage be ſent up to the Governor thereupon, *viz.*

May it pleaſe the GOVERNOR,

Another Meſſage from the Aſſembly to the Governor.

WE have taken into Conſideration the Amendments propoſed to the Bill, entituled, "*An Act for amending the Law relating to the Partition and Diſtribution of Inteſtates Eſtates, and concerning the Probate of Wills*," and agree to all of them, the laſt ſave one excepted; and as to that Amendment, we look upon it as beſtowing Powers on the Regiſter-General, and his Deputies, with the Juſtices they ſhall think fit to call to their Aſſiſtance, which by Law neither can, nor, as we conceive, ought to be granted to them, for the Reaſons following.

Firſt, The Regiſter-General, and his Deputies, in reſpect to the Probate of Wills, *&c.* have only the ſame Powers which, by the Royal Charter, the Proprietor is authoriſed to grant; and this we think neither is, nor can be, any other than the Probate of Wills which concern perſonal Eſtates: But the Amendment now propoſed to us, gives the like Power in reſpect of Lands, which is directly repugnant to the Laws of *England*.

It is true, if the Regiſter-General, or his Deputies, and thoſe they are pleaſed to call to their Aſſiſtance, ſhould doubt, the Parties are intitled to a Trial by a Jury: But then they themſelves are made abſolute Judges of theſe Doubts; and though they ſhould direct a Trial to be had by a Jury, yet no Proviſion is made to oblige them to have any Regard to the Verdict ſo to be given; but they may, for aught which the Clauſe propoſed contains, give Judgment againſt the Verdict, without any Appeal to be had againſt their Sentence.

Secondly, As the Law now ſtands, we ſuppoſe it clear, that if the Regiſter-General, and his Deputies, with their Aſſiſtants, exceed their Powers, the Juſtices of the Supreme Court may prohibit them: And at a Time when the Powers of the Regiſter-General, his Deputies and Aſſiſtants, by the Clauſe propoſed, are ſo much enlarged, we cannot think it proper to take away the Superintendance of the Supreme Court.

Thirdly, Becauſe this Clauſe directs the Calling of a ſpecial Court to try the Iſſues directed, and provides no Remedy, were the Juſtices to commit ever ſo groſs Miſtakes, either by bringing on any ſuch Trial, when the Witneſſes of either Party are beyond Sea; by admitting Jurors or Witneſſes againſt whom juſt Exceptions are taken, or in denying ſuch Jurors or Witneſſes againſt whom no ſuch Exceptions are taken: But theſe, or any other Miſtakes, notwithſtanding, by the Amendment now propoſed, the "Trial ſhall be had, made, taken, perfected and concluded, in the ſaid ſpecial Court, any Law, Uſage, Cuſtom, Writ or Writs prohibitory, notwithſtanding."

In *England* the Ordinaries, who have the Probate of Wills concerning perſonal Eſtates, have not like Power ſo far as concerns Lands, though they are often Men well ſkilled in the Civil Law, and proceed by it in Caſes not repugnant to the Laws of *England*; yet if they miſtake, there are Appeals, firſt to the Arches, and next to the Delegates, before the Parties are concluded: But, by the Proviſion in this Clauſe, the Sentence is to be final, and no Appeal from it, though it may happen the Juſtices called to the Aſſiſtance of the Regiſter-General, or his Deputies, are concerned in Intereſt, know little of the Common Law, leſs of the Civil Law, and yet made Judges in the laſt Reſort.

For theſe Reaſons we would willingly hope the Governor, on conſidering the Premiſes, will recede from the Amendment, and give his Aſſent to the Bill as it now ſtands, without the Clauſe propoſed."

And the Meſſages being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Edward Warner* and *Joſeph Trotter* carry up the Bill with the Meſſages to the Governor; and acquaint him, that the Houſe agrees to the Amendments propoſed by him to the Bill for encouraging the Killing of Squirrels in this Province.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th *Mo.* 3. The Gentlemen appointed to wait on the Governor with the Bills and Meſſages of the Houſe, report, that they delivered the ſame according to Order.

The Petition of the Inhabitants on the Weſtern Side of *Schuylkill*, relating to the Rates of Ferriage over that River, was again read.

Ordered, That *Iſaac Norris*, *Thomas Leech*, *Mahlon Kirckbride*, *John Owen* and *Peter Worral* be a Committee to inſpect the ſeveral Laws of this Province relating to Ferries, and report thereon to the Houſe at the next Sitting.

The

The Houſe taking into Conſideration, that *James Morris*, one of the Committee of Public Accounts, is appointed a Truſtee of the Loan-Office; and *Cephas Child*, another of that Committee, deſiring to be excuſed; 1748. 12th Mo. 3.

Ordered, That *Iſaac Norris* and *Mahlon Kirkbride* be appointed in their Stead.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, which was read, and follows in theſe Words, *viz.* *Poſt Meridiem*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'AS the Currency of this Province is a Matter of the greateſt Conſequence to the Inhabitants, it ought previouſly to the paſſing an Act to increaſe the Quantity, to be well conſidered what Effect ſuch an Addition might have on Trade in general, and the private Eſtates of particular Perſons, in order that we may, as far as in us lies, do equal Juſtice to all. I hope therefore you will not think me unreaſonable, if I take ſome Time, and the beſt Information I can get, the better to enable me to form a right Judgment of the Bill now before me, for making current *Twenty Thouſand Pounds* in Bills of Credit of this Province, to be emitted on Loan. And I the rather hope this Delay will not be attended with any conſiderable Inconveniencies to the People, as there is confeſſedly a greater Sum of Money now circulating among us, than at any Time heretofore.

Febr. 3, 1748. *JAMES HAMILTON.*"

The Committee appointed to examine the Account of *Joſeph Scull*, report, that in their Opinion *Two Pounds Twelve Shillings and Four-pence* be allowed him in Diſcharge of the ſame; which was agreed to by the Houſe.

Ordered, That *James Morris* and *Oſwald Peele* wait upon the Governor, and acquaint him, that the Houſe is inclinable to adjourn To-morrow, and therefore deſire to know his Reſult on the Bills depending before him; and at what Time he will pleaſe to be waited on by the Houſe with the Bills that have or will receive his Aſſent, in order to their being enacted into Laws; and that he would appoint ſome Gentlemen of his Council to join a Committee of the Houſe in order to compare the Bills.

Reſolved, That the Propoſals made by *John Bleakley* are referred to the Truſtees of the *Province Iſland*, and that they have Power to grant him a Leaſe for Twenty-one Years on the beſt Terms they can agree.

Reſolved, That *Edward Warner* be appointed one of the Truſtees of the *Province Iſland*, in the Room of *Thomas Tatnal*, deceaſed.

The Gentlemen return and report, that they waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, the Houſe ſhould receive a Meſſage from him on the Bill relating to Inteſtates Eſtates this Afternoon, and another on the Bill relating to the Poor To-morrow Morning; that he would appoint ſome Gentlemen of his Council to meet the Committee of the Houſe, and compare the Bills at Ten o'Clock To-morrow Morning in the Council Chamber; and that he would receive the Houſe in order to paſs the Bills into Laws, at Twelve.

Then the Houſe adjourned for Half an Hour.

The Houſe being reſumed,

The Governor, by his Secretary, ſent down the Bill for amending the Laws relating to the Partition and Diſtribution of Inteſtates Eſtates, and concerning the Probate of Wills, with a Meſſage in Writing, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'UPON conſidering that Part of the Bill relating to the Diſtribution of Inteſtates Eſtates, *&c.* which concerns the Probate of Wills, and the Meſſage I received from you on the Amendments by me propoſed; I find it a Matter of great Importance, and attended with ſome Difficulty. As to the other Parts of it, I approve of them, and am ready to give my Aſſent for their being paſſed into a Law.

'If the Laws relating to the Probate of Wills ſhall be thought to want Amendment, I ſhall always be ready to take into Conſideration any Bill that ſhall be prepared for that Purpoſe.

Febr. 3, 1748. *JAMES HAMILTON.*"

Reſolved, That the Bill be engroſſed, without the Clauſe relating to the Probate of Wills.

Ordered, That the Committee who brought in the ſaid Bill, inſpect the Laws regarding the Probate of Wills, and bring in a Bill at the next Sitting for Amending them.

Ordered, That *Thomas Leech* and *James Morris* meet the Gentlemen of the Council appointed by the Governor to compare the Bills, To-morrow.

An Order was drawn, and ſigned by the Speaker, per Order of the Houſe, for Payment of *Two Hundred and Twenty-one Pounds* to *George Croghan*, in full Diſcharge of his Account.

1748. 12th Mo. 4. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to compare the Bills with the Members of the Council, report they have done the ſame according to Order.

The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, which was read, and follows in theſe Words, *viz*,

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE Bill now before me, for Amending the Laws relating to the Poor, and for the better Appointment of Overſeers of the Poor within the City of *Philadelphia*, being of conſiderable Length, and of great Conſequence to the Public, the neceſſary Corrections and Alterations will require Time and Deliberation; and, as many of you have been long from your Families, and are deſirous to adjourn, I imagine it will be agreeable to you to defer the further Conſideration of them to another Seſſion.

Febr. 4, 1748-9. *JAMES HAMILTON.*"

The engroſſed Bills were ſigned by the Speaker, per Order of the Houſe.

A Meſſage from the Governor by his Secretary,

Mr. SPEAKER,

"The Governor is ready to receive the Houſe in the Council Chamber, in order to "the paſſing thoſe Bill into Laws to which he had given his Concurrence."

The Secretary being withdrawn,

Reſolved, That *Four Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Eſq; Governor of this Province, in Part of his Support for the current Year.

And an Order for the Payment of the ſame was accordingly drawn, and ſigned by the Speaker.

Then the Speaker with the whole Houſe waited on the Governor;

And being returned,

The Speaker reſumed the Chair, and reported, that he had in the Name of the whole Houſe, preſented to the Governor their Order towards his Support for the current Year, which he had kindly received: And further, that the Governor had been pleaſed to give his Aſſent to the following Bills, by enacting the ſame into Laws, *viz.*

An *ACT* for the new Appointment of Truſtees of the General Loan-Office of *Pennſylvania*; and for the making current *Five Thouſand Pounds*, in new Bills of Credit, to exchange ſuch of thoſe, now by Law current, as are torn and defaced.

An *ACT* for amending the Laws relating to the Partition and Diſtribution of Inteſtates Eſtates.

An *ACT* to regulate Horſe-Jockeys and Dealers in Horſes; and to prevent the Bringing into this Province for Sale, ſuch as are ſmall, unſizeable, or unſound.

An *ACT* to encourage the Killing of Squirrels within this Province.

That *Thomas Leech* and *James Morris* were appointed to ſee the Great Seal affixed to thoſe Laws; that the Speaker had alſo acquainted the Governor with the propoſed Time of Adjournment, to which he made no Objection.

Adjournment. Then the Houſe adjourned to the 7th Day of the next Sixth Month.

1749. 6th Mo. 7. THE Houſe met according to their Adjournment.

Ordered, That *James Morris* and *Joſeph Trotter*, wait upon the Governor, and acquaint him, that the Houſe is met purſuant to their Adjournment, and that if he hath any Thing to lay before them, they are ready to receive it.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 8. The Gentlemen appointed to wait on the Governor with the Meſſage of Yeſternight, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe.

An Account from *James Sterret*, of *Five Pounds*, for his Service in going to the *Toſcarora Path*, to warn off ſome People who had ſettled on the *Indians* Lands. Alſo an Account from *David M'Neer*, of *Eighteen Shillings*, he charges for bringing *William Brown* (a young Man of *Carolina*, who had been taken Priſoner by the *Indians*) from *George Croghan's* to *Philadelphia*; were preſented to the Houſe, and read.

An Account from *John Stevens*, of *Sixty-five Pounds Fifteen Shillings*, for Dieting *French* Priſoners, was laid before the Houſe, and read.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, ſent down a Meſſage in Writing to the Houſe, together with a Copy of the Minutes of Council, containing the late Treaty with ſome Deputies of the *Six Nations*, and they were read, and follow in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'SOME Affairs relating to this Province having been the Subject of the Conſultations of the *Six Nation Indians*, at their annual Council, held in the Spring of the Year at *Onondago*, it was there reſolved to ſend a Deputation to this City, to conſiſt of a few

'of

1749. 6th Mo. 8.

'of the Chiefs of every Nation, and a particular Time and Place of Rendezvous was 'agreed on; in Consequence whereof, the Deputies of the *Senecas* came there at the 'Time appointed, and staid a whole Month; but the other Deputies not coming, and 'they hearing no Tidings about them, concluded they were prevented by some unforeseen 'Accident, and therefore being so far on their Journey, they determined to pay a Visit 'to their Brethren of this Province, and so came here the Beginning of the last Month. 'I refer you to the Minutes of Council, which will be herewith delivered to you, for 'their Business. As the Province had been put to some Expence by them, they were 'told, on their Departure, if they met the other Deputies, to inform them what they had 'done here, and persuade them to return; and it seems they did meet them; but whether 'they delivered this Message, or no, I have no Account: If they did, it had no Effect; 'for they are now on the Road, and expected here every Day. You will therefore be 'pleased to take the necessary Care for their Reception.

'Mr. *Weiser* having defrayed the Expences of the last *Indians* in their Journey to and 'from this City, I advanced him the Sum of *Sixty Pounds* on his going away: He must 'by this Time have laid out a considerable Sum more, which you will be pleased to order 'Payment of. And though from your long Knowledge of his Merit, it might be un-'necessary in me to say any Thing in his Favour, yet as the last Set of *Indians* did Da-'mage to his Plantation, and he had Abundance of Trouble with them, and is likely to 'meet with much more on this Occasion, I cannot excuse myself from most heartily re-'commending it to you, to make him an handsome Reward for his Services.

Aug. 8, 1749. *JAMES HAMILTON.*"

[See the Conference held with the Indians.]

A Petition from *James Coultas*, of the *Market-Street* Ferry, on the River *Schuylkill*, setting forth, that having farmed the said Ferry, he hath, in order to render the same more convenient and satisfactory to Passengers, been at a very great Expence in raising, lengthening and enlarging the Wharffs and Causeways of the said Ferry, so that one Carriage may now safely pass another, and no Delay given by the grounding of the Flats at Low Water; which he had done, confiding that the Rates of Ferriage would during his Lease remain as they are; that he is at a very great Expence in keeping Three Flats and Attendants, beside smaller Vessels, for the Expedition of Passengers; and that in the Winter, during the hard Frosts, the daily Expence of keeping the Ferry open exceeds the Amount of the Ferriage, besides the additional Charge of large Fires; and if not kept open, would be exceeding dangerous, and greatly detrimental to City and Country; that for his own Satisfaction, he did, in the Year 1747, keep an Account of the Ferriage for that Year, the Balance of which was but *One Hundred Seventeen Pounds and Two-pence* of his Reimbursement, Time, Trouble, Risk and Charge, and for the Support of his Family, his chief Profits arising from his other Dealings and Business; that the Consequences of Reducing the Rates of the said Ferry, he apprehends, will be, that the Wharffs and Causeways will go to Decay, the Flats and Boats cannot be so well maintained, nor the Attendance be so good and constant, nor the same Conveniencies of Fire, Shelter, *&c.* afforded the Passengers, nor can the Keeper of the Ferry make good any Loss that may happen for Want of proper Attendance; that taking off one Half of the Rates on Horses only, would so reduce the Income of the Ferry, as to leave but about *Four Pounds Ten Shillings, per Annum*, for the Keeper's Reimbursement and Support; nor can the Value of the Land on the West-side of the River be advanced (as he conceives) by reducing the Rates of Ferriage, while the River is to be crossed in Boats, and not by a Bridge; and therefore praying that the House would take the Premises into Consideration, and act therein consistently with their accustomed Justice and Equity; was presented to the House, and read, and *Ordered to lie on the Table.*

The Petitioner's Account upon Oath, of the Produce of his Ferry for the Year 1747, was also laid before the House, and read.

A Petition from a great Number of Inhabitants on the West-side of *Sasquehannah*, seated on the Tract of Land lying North of the *South Mountain*, setting forth the many Inconveniencies they labour under by their Distance from the County Town of *Lancaster*, and the Intervention of the River; that the said Tract is of sufficient Extent for a County, and hath a great Number of Inhabitants, who are both willing and able to bear the necessary Expence of building a Court-House and Prison, and other Charges of a new County; and therefore praying that the said Tract may be divided from *Lancaster*, and made a separate County; was presented to the House, and read, and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment 6th Mo. 9.

The Governor's Message was again read.

The Governor, by his Secretary, sent down a Letter, received from *Conrad Weiser*, relating to the *Indians*, which was read.

According to Leave given at the last Sitting, a Bill was now brought in for erecting Part of the Province of *Pennsylvania*, Westward of *Sasquehannah*, and South-eastward of the

1749. 6th Mo. 9. the *South Mountain*, into a County; and the ſame was read the firſt time, and ordered a ſecond Reading.

Ordered, That the Superintendants of the State-Houſe do (in Purſuance of the Governor's Recommendation by his Meſſage) provide a proper Place for the Reception of the *Indians* lately entered into this Province, if they proceed to this City.

Adjournment 6th Mo. 10. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, ſent down the Bill for amending the Laws relating to the Poor, &c. with ſome Amendments, and a written Meſſage; and the Bill for making current *Twenty Thouſand Pounds*, &c. with a written Meſſage; which Meſſages were read, and follow in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'ACCORDING to your Requeſt laſt Seſſion, I ſend you the Bill for amending the Laws relating to the Poor, with Amendments. As nothing can afford me greater Pleaſure than Unanimity in the two Parts of the Legiſlature, I hope it will appear to you, on Conſideration, that the Matters I have thought proper to be omitted, are amply provided for by the Laws now ſubſiſting, and that all the new Proviſions, tending to the Utility of the Inhabitants of this City and Province, are retained.

Auguſt 10, 1749. *JAMES HAMILTON.*"

GENTLEMEN,

Another Meſſage from the Governor to the Aſſembly. 'AS we have certain Information that a Bill was brought into the Parliament of *Great Britain*, at their laſt Seſſions, for reſtraining his Majeſty's Colonies in *America* from iſſuing Paper Bills of Credit to paſs in Lieu of Money; and as we are hitherto uncertain what may have been the Fate of that Bill, I am of Opinion it may be highly imprudent, and attended with very bad Conſequences to the Province, ſhould we take upon us to paſs a Law for increaſing the Quantity of our Currency, until ſuch Time as we are better acquainted with the Sentiments of our Superiors, upon a Subject they have had ſo lately under Conſideration.

Auguſt 10, 1749. *JAMES HAMILTON.*"

A Petition from *Mary Gray*, Widow, of the *Lower-Ferry*, on the River *Schuylkill*, ſetting forth, that her late Huſband *George Gray*, purchaſed the ſaid Ferry for *Eleven Hundred and Fifty Pounds*, ſubject to the yearly Rent of *Thirty Pounds* to the Proprietaries, and made ſundry Improvements in the Houſe, Cauſeways, Flats, &c. to the Amount of near *Three Hundred Pounds* more; that the ſaid *George Gray* by his laſt Will deviſed the ſame to the Petitioner, under the yearly Rent aforeſaid, and the further Incumbrance of *Five Hundred Pounds*, being one Half of his Debts at the Time of his Deceaſe, to be paid out the Iſſues and Profits of the ſaid Ferry: And that, if the Rates be reduced, the Petitioner will be rendered unable to ſupport the Attendance that is now given, or to keep the Ferry open in Winter, which is a much greater Expence than the Ferriage amounts to, and if neglected would be a Loſs to both City and Country, as much leſs Proviſion would be brought to Town: And therefore praying that the Houſe would conſider the Premiſes, and permit the Petitioner to have a Hearing thereupon, before they take any Meaſures for reducing the Rates of the ſaid Ferry; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

A Repreſentation from the Secretary, of the Damage done by a Party of *Indians* to *Jane Teer*, a poor Widow of *Lancaſter* County, was laid before the Houſe, and read.

The Committee appointed to audit and ſettle the Accounts of the General Loan-Office, and other Public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members.

The Bill for erecting Part of the Province of *Pennſylvania*, Weſtward of *Saſquehannah*, and South-eaſtward of the *South Mountain*, into a new County, was read a ſecond time, and the further Conſideration thereof referred to the Afternoon.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

A Petition from a Number of Inhabitants on the Weſtern Side of the River *Schuylkill*, ſetting forth, that divers of the Petitioners are Deſcendants of the earlieſt Adventurers into the Province, who had their Proportions of their *Britiſh* Purchaſes, laid out on the Weſt-ſide of *Schuylkill*, before it was known on which of the two Fronts the City would be built; that *Delaware* Front being found moſt commodious, and the City thereon increaſing, Ferries over *Schuylkill* became neceſſary, and were in early Times eſtabliſhed at ſuch Rates as were then thought reaſonable; that as the Settlements on the Weſtern Side of the ſaid River are now abundantly increaſed, and the Cuſtom of thoſe Ferries more than four times as much as formerly, the Petitioners conceive it a Grievance to them that no Abatement is made of the Price; and therefore praying that the Houſe would conſider the Premiſes, and grant ſuch Relief as ſhall ſeem meet; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

A Petition from ſundry Inhabitants of the County of *Lancaſter*, ſetting forth, that the

the said County having been erected since the Passing a Law for Building Houses of Correction and Work-houses in the respective Counties of this Province, the Inhabitants thereof are thought not to be entitled to the Benefits and Privileges of the same; that the Inhabitants of the said County are now very numerous, and suffer great Inconveniencies for Want of a House of Correction and Work-house, for the Correcting and Keeping to Labour Vagabonds, disorderly Servants, and others, who are subject by the Laws to be punished in that Manner; and therefore praying an Act may be passed to invest the Justices of the said County with Power to erect a House of Correction and Work-house in the same County, and all other suitable Powers for rendering the same effectual, for the Purposes above-mentioned, agreeable to the Law now in Force for the other Counties in this Province; or in such other Manner as to the House shall seem meet; was presented to the House, and read, and *Ordered to lie on the Table.* 1749. 6th Mo. 10.

The House proceeded in Reading the Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehannah* and South-Eastward of the *South Mountain*, into a County.

Resolved, That the Northern and Western Boundary of the said County be a Line drawn on the Ridge of the *South Mountain*.

Resolved, That the Bill be committed for Amendment to *Thomas Leech*, *Abraham Chapman*, *Owen Evan*, *George Ashbridge*, *James Webb* and *Peter Worral*.

The Consideration of the Petition from the Inhabitants on the North-side of the *South Mountain*, is referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen to whom the Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehannah* and South-Eastward of the *South Mountain*, into a County, was committed, brought in the same with Amendments, and it was read by Order, and considered, and re-committed for further Amendments. 6th Mo. 11.

The Petition from a great Number of Inhabitants of *Lancaster* County, inhabiting the Lands lying on the North-side of the *South Mountain*, and praying the same may be erected into a new County, was again read;

Ordered, That the Petitioners Agents have Leave to attend the House this Afternoon, in Support of their Petition.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Agents for the Petitioners for a New County, North of the *South Mountain*, attending, were called in, and having said what they thought fit in Support of their Petition, and answered such Questions as were asked them for the Satisfaction of the House, they withdrew. *Post Meridiem*

Ordered, That the further Consideration of the said Petition be adjourned to the next Third-day Morning.

The Gentlemen to whom the Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehannah* and South-Eastward of the *South Mountain*, into a County, was committed brought in the same, with some additional Clauses relating to the Collecting of the Excise, which were read, and the Bill was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

An Account from *William Dunwick*, amounting to *Four Pounds Nine Shillings and Three-pence*, for amending *Indian* Guns, *&c.* was laid before the House, and read, and allowed. 6th Mo. 12.

Ordered, That the Superintendants of the State-House take Care of recovering the Debts due from the Estate of *Daniel Pegg*, deceased, to the Public; and the Bonds were accordingly put into their Hands.

The Gentlemen appointed to inspect the Laws of this Province relating to Ferries, report, that they are all expired; but that the Rates at present taken, are generally such as were formerly allowed by those Acts.

Resolved, That the Consideration of those Acts, and of the Petitions relating to Ferries, be recommended to the Consideration of the next Assembly, there not being Time at present to proceed thereupon.

An Account from *Richard Sewell*, Sheriff of *Philadelphia* County, of *Four Pounds Four Shillings*, Charges paid by him to Persons who went in Search of some absconded Coiners, was laid before the House, read, and allowed.

The Petition from the Inhabitants of *Lancaster* County, for a Law to enable them to build a Work-house and House of Correction, was again read.

Resolved, That the Time the House now proposes to sit, will not allow the proceeding on such a Bill; and therefore it is referred to the Consideration of the next Assembly.

Ordered, That *Oswald Peele*, *Joseph Trotter*, *Edward Warner*, *Cephas Child*, *John Owen*, *Francis Yarnall* and *Peter Worral* be a Committee to inspect and settle the Accounts of the incidental Charges of the current Year.

1749. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

6th Mo. 14. The Houſe met purſuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 15. The Bill for erecting Part of the Province of *Pennſylvania*, Weſtward of *Saſquehannah* and South-Eaſtward of the *South Mountain*, into a County, was read a third time; and a Debate ariſing thereupon, it was adjourned to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe reſumed the Debate on the Bill for erecting Part of the Province of *Pennſylvania*, Weſtward of *Saſquehannah* and South-Eaſtward of the *South Mountain*, into a new County; and after ſome Time ſpent therein,

Reſolved, That the Bill do paſs.

A Bill for barring Eſtates Tail, was read the firſt time, and ordered a ſecond Reading.

A Bill for regulating the Probate of Wills within this Province, was read the firſt time, and ordered a ſecond Reading.

Ordered, That *James Webb* and *Peter Worral* carry up the Bill for erecting Part of the Province of *Pennſylvania*, Weſtward of *Saſquehannah* and South-Eaſtward of the *South Mountain*, into a new County, to the Governor, and deſire his Concurrence.

The Houſe reſuming the Conſideration of the Petition for another new County, North of the *South Mountain*,

Reſolved, That the ſame be recommended to the Conſideration of the next Aſſembly.

A Supplementary Bill to the Act, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*, was read the firſt time, and ordered a ſecond Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 16. The Gentlemen appointed to carry up the Bill for a new County, report, that they delivered the ſame to the Governor according to Order, who was pleaſed to ſay, he would give it all the Diſpatch he could.

The Bill for barring Eſtates Tail, was read a ſecond time; but the Houſe thinking it too late to proceed therein at this Time, the further Conſideration thereof is recommended to the next Aſſembly.

The Bill for amending the Laws relating to the Poor, and for the better appointing Overſeers of the Poor for the City of *Philadelphia*, with the Amendments ſent down by the Governor, was read, and referred to further Conſideration in the Afternoon.

The Bill for regulating the Probate of Wills within this Province, was read a ſecond time, and recommended to the ſucceeding Aſſembly.

The Governor, by his Secretary, ſent down the Bill for making a new County, with ſome Amendments, which were agreed to by the Houſe.

The Supplementary Bill to the Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province, was read a ſecond time, and ordered to be tranſcribed for a third Reading.

An Account from *Benjamin Hooton*, charging *Five Pounds* for Nurſing, and Attendance, *&c.* of a ſick *Indian*, five Weeks, was laid before the Houſe, and read;

An Account from Dr. *Richard Farmer*, charging *Three Pounds Sixteen Shillings* and *One-penny*, for Medicines to the ſaid *Indian*, was laid before the Houſe, and read;

And the ſaid Accounts were referred to the Committee for incidental Charges.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Supplementary Bill to the Act, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*, being tranſcribed, was read the third time;

Reſolved, That the Bill do paſs.

Ordered, That *Thomas Leech* and *Edward Warner* carry up the ſame to the Governor, and deſire his Concurrence.

A Petition from *Henry Ote*, of *Philadelphia* County, ſetting forth, that the *Indians*, in their Way to *Philadelphia*, ſhot a Milch Cow and Heifer of the Petitioner's, and carried away the ſame; praying Payment from the Houſe; was preſented, and read.

Ordered to lie on the Table.

A Petition from *James Brooks*, of *Philadelphia* County, complaining of ſundry Abuſes and Damages ſuffered by him from the *Indians*, in their Way to *Philadelphia*, and praying Relief, was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

The Bill for amending the Laws relating to the Poor, with the propoſed Amendments, was again read; and the ſame were, on the Queſtion, agreed to by the Houſe.

Ordered, That the Bill be engroſſed as amended.

Ordered, That the Gentlemen appointed to carry up the Supplementary Bill for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province, acquaint the Governor, that the Houſe have agreed to the Amendments propoſed to the Bill for erecting a new County, and ordered it to be engroſſed accordingly. And that as to the Bill relating to the Poor, the Houſe would

would have been better satisfied to have had it passed entire, as sent up to the Governor; but as several Things yet remain in the Bill that may be serviceable to the Public, they have agreed to the Amendments proposed, and ordered it to be engrossed accordingly. 1749. *6th Mo.* 16.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order. *6th Mo.* 17.

The Petitions of *Henry Ote* and *James Brooks*, complaining of Injuries received from the *Indians*, were again read, and referred to the Committee of incidental Charges, to enquire into the Facts set forth in the said Petitions, and report thereon to the House.

The engrossed Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehannah* and South-Eastward of the *South Mountain*, into a new County, was read and compared.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

A Message from the Governor, by the Secretary;

Mr. *Speaker*,

'THE Governor, for expediting Business, sends to the House the Minutes of Coun-
'cil, containing the Speech made Yesterday by the *Indians*; and as they have been
'faithful to us during the War, recommends it to the House to take into Consideration
'the making them a Present at this Time."

The Minutes of the Council were read, and the verbal Message from the Governor considered.

Resolved, That, besides the Sum of *One Hundred Pounds* lately given to the *Indians*, a Sum not exceeding *Five Hundred Pounds* be now presented to them.

It being observed in the House, that the Offering Lands to Sale, and other Affairs relating to Lands, are often the Occasion of bringing down the *Indians*, to the great Expence of the Province, it was therefore

Resolved, That the Governor be acquainted with the Sentiments of the House, and the Hopes they entertain, that in Consideration thereof, the Proprietaries Agents are impowered, and will accordingly make an additional Present to the *Indians*, as well as contribute to the Expence arising on this Visit.

The Committee appointed to enquire into the Allegations of the Petitions of *Henry Ote* and *James Brooks*, report, that they find Reason to believe the same are true.

Ordered, That *Isaac Norris* and *Oswald Peele* wait upon the Governor, and acquaint him with the foregoing Resolutions of the House; and also of the Injuries done by the *Indians* to several Persons as they came down, which the House request he would take proper Notice of in his Speech to them, in order to prevent as much as may be the like Outrages for the future.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, sent down the Supplementary Bill to the Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province, with a Message, that he was ready to pass the same into a Law when it shall be presented to him for that Purpose. *6th Mo.* 18.

Ordered, That the same Bill be engrossed.

The engrossed Bill for amending the Laws relating to the Poor, was read and compared.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would strongly represent to the *Indians* the Injuries done by some of them to the Inhabitants, and would consider the other Part of the Message relating to an Addition to the Present.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Supplementary Bill to the Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province, being engrossed, was compared in the House;

Ordered, That *Joseph Trotter* and *Edward Warner* wait upon the Governor, and acquaint him, that the Bills which have passed the House with his Concurrence, are engrossed in the Manner agreed on; and desire to know when the Governor will be pleased to receive the House, in order to the enacting those Bills into Laws. And farther, that they desire the Governor, to appoint two Members of Council, to join a like Number of the House, in order to compare them.

Ordered, That *Thomas Leech* and *Oswald Peele* attend the Members of Council that shall be appointed to compare the Bills.

Sundry Accounts of Services done the Public were reported on by the Committee of incidental Charges, and such Allowances made as the House judged reasonable.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, *6th Mo.* 19.

report,

1749. 6th Mo. 19. report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would receive the Houſe at Twelve o'Clock this Day, in order to paſs the Bills into Laws, and that he would appoint two Members of Council to aſſiſt in comparing them.

The Committee appointed to examine the Bills with the Members of Council, report, that they had done the ſame.

Reſolved, That *Six Hundred Pounds* be paid to the Honourable JAMES HAMILTON, Eſq; Governor of this Province, as the Remainder of his Support for the current Year.

And an Order for the Payment of the ſame was drawn, and ſigned accordingly.

Reſolved, That *One Hundred Pounds* Sterling be remitted to the Agent, *R. Patridge*, Eſq; beſides his Salary, to lie in his Hands for public Services, to be accounted for hereafter.

Ordered, That *Thomas Leech* and *Oſwald Peele* ſee the Great Seal affixed to the Laws, after they are paſſed.

The Houſe being acquainted that the Governor is in the Council Chamber, ready to receive them, in order to enact the Bills into Laws;

The Speaker with the whole Houſe waited upon the Governor;

And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor with the following Bills, *viz.*

An *ACT* for erecting Part of the Province of *Pennſylvania*, Weſtward of *Saſquehannah* and South-Eaſtward of the *South Mountain*, into a County.

A Supplement to the Act, entituled, An *ACT* for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province.

An *ACT* for amending the Laws relating to the Poor.

That the Governor had been pleaſed to give his Aſſent to the ſame by paſſing them into Laws. That the Speaker had alſo preſented to the Governor the Order of the Houſe for his Support, for which he was pleaſed to thank the Houſe, and to ſay, that he hoped the good Agreement which had ſubſiſted between the ſeveral Parts of the Legiſlature hitherto, was a good Preſage of its Continuance during his Adminiſtration.

The Report of the Committee of the Public Accounts, was approved of, and allowed by the Houſe, and follows in theſe Words, *viz.*

WE, *the* COMMITTEE *appointed by Order of Aſſembly to ſettle the Accounts of the* GENERAL LOAN-OFFICE *of the Province of* Pennſylvania, REPORT,

Report of the Committee appointed to ſettle the Accounts of the General Loan Office.

THAT, upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Aſſembly for emitting Paper Bills, and now remaining in the Loan-Office undiſcharged, we find there are principal Sums or Quotas thereon, to become due and payable to the Truſtees, the Sum of - - £47,758 13 4

That there are Quotas outſtanding, and now due on all the Mortgage Deeds, as by a Liſt exhibited by the Truſtees to the Committee, and by them examined, amounting to the Sum of —— —— —— 14,790 9 2

That a Liſt of 194 Mortgage Deeds have been taken, Part on the ſecond Re-emiſſion of the ſecond £ 80,000 Act, and Part on the third Re-emiſſion of ditto, amounting as per Liſt to —— —— —— 12,319 5 0

That ſeveral Sums lent the Public, to be repaid into the Hands of the Truſtees, are ſtill outſtanding, viz.

The whole Sum appropriated by the ſecond £ 30,000 Act, to build a State-Houſe, —— ——	£	2,000	0	0	
Part of the Sum lent the City of Philadelphia by the firſt £ 30,000 Act,		156	0	0	
Part of the Sum lent the City of Philadelphia to build an Alms-Houſe,		187	10	0	
Part of the Sum put into the Hands of the Provincial Treaſurer, —		200	0	0	
					2,543 10 0
					£ 77,411 17 6
Balance in the Hands of the Truſtees, —— ——					2,588 2 6
Makes the whole Sum current in the Province, ——					£ 80,000 0 0

THAT the Truſtees, upon Account of Intereſt, Credit the Province with Sundries, *viz.*

By Balance due to the Province at laſt Settlement, ——				£	1,102 9 1
By Intereſt outſtanding at the laſt Settlement, —	£	6,921	6 4½		
From which deduct Intereſt on Francis Nief's Mortgage, —— ——	£	5 19 4			
Ditto on Daniel Harriſon's Mortgage —		3 14 0			
		9 13 4			
Leaves the true Intereſt ontſtanding laſt Year,					6,911 13 0½
By Intereſt ariſing on all the Mortgage Deeds this current Year,					2,950 4 5
By broken Intereſt received this Year, —					1,032 2 7
					£ 11,996 9 1½

That the Truſtees, upon Account of Intereſt, Charge the Province with the Intereſt outſtanding on all the Mortgage Deeds, amounting per Liſts to	£	7,067	6 4½		
And with an Overcharge of Intereſt on Robert Montgomery's Mortgage		6	5 6		
An Overcharge on Thomas Bane's Intereſt, ——		1	0 6		
An Overcharge on Joſhua Walton's Intereſt, ——		0	5 0		
				£	7,074 17 4½
Paid ſundry Orders for Aſſembly Men's Wages, —					262 0 0
Paid John Kinſey, Eſq; Chief Judge of the Supreme Court, per Order,					200 0 0
Paid William Till, Eſq; one of the Judges of the Supreme Court, per Order,					60 0 0
Paid Thomas Græme, Eſq; one of the Judges of the Supreme Court, per Order,					60 0 0
Paid Tench Francis, Eſq; Attorney General, per Order, ——					70 0 0
Carried forward				£	7,726 17 4½

	Brought over Credit				£	11,996	9 1½
	Brought over Debet	£	7,726	17 4½			
Paid Joseph Noble for 100 l. Sterling, being the Agent's Salary for the Year 1748,			170	0 0			
Paid Thomas Burden, Doorkeeper, per Order,			13	0 0			
Paid for Firewood for the Assembly,			13	8 0			
Paid for a Lock for the Loan-Office,			0	18 6			
Paid Richard Peters, per Orders, his Disbursements for the Government, &c.			158	12 5			
Paid Reese Meredith, per Order,			60	0 0			
Paid Lynford Lardner for the Proprietors, per Act of Assembly,			130	0 0			
Paid the Honourable James Hamilton, Esq; per Order,			600	0 0			
Paid the Trustees of the Province Island, in Part of their Contract with John Bleakley,			160	0 0			
Paid John Jervis, for signing 45,332 Paper Bills of Credit, at 15/ per 1000			34	0 0			
Paid the Trustees Salary, from the 6th Month the 1st, 1748, to 3d Month 16th, 1749, at the Rate of 110 l. per Annum, it being nine Months and fifteen Days,			435	8 4			
To an Allowance due by Law for 140 Mortgage Deeds,			140	0 0			
To an Allowance due by Law for Exchanging and Sinking £ 1,571 6/6d, old Bills for new, at 27 l. 10/ for each Ten Thousand Pounds,			4	6 5			
			9,646	11 0½			
Balance in the Trustees Hands due to the Province			2,349	18 1			
					£	11,996	9 1½

1749. 6th Mo. 19.

WE, *the* COMMITTEE *appointed by Order of the Assembly to audit and settle the Public Accounts*, REPORT,

The Report of the Committee appointed to settle the Public Accounts.

THAT we have examined the Provincial Treasurer's Account, and find that he Credits the Province,

By the Balance of Accounts settled with the Committee, 6th Month 26, 1748,	£	357	2	9½			
By Cash of Judah Foulke, Collector of the Excise for the City and County of Philadelphia,		1303	4	0			
By Cash of William Atkinson, Collector of the Excise for the County of Bucks,		174	0	0			
By Cash of Jeremiah Star, Collector of the Excise for the County of Chester,		421	4	3			
By Cash of Arthur Patterson, Collector of the Excise for the County of Lancaster,		206	5	6			
					£	2,461	16 6½

THAT he Charges the Province with the following Articles, to wit,

Paid Peter Robeson, per Order, Expences for the Person who gave Intelligence of the Spanish Privateers, &c.	£	9	6	3
Paid John Clary, per Order, for dieting French Prisoners,		4	4	0
Paid Mary Farrel, per Order, for dieting French Prisoners,		2	7	0
Paid Richard Farmer, per Order,		2	10	0
Paid Benjamin Franklin, per Order,		77	1	1
Paid Alexander Gandouit, per Order, the remaining Part of his Account for sick Soldiers,		10	10	0
Paid John Rudolph, per Order, the full of his Account for dieting Soldiers,		5	7	10
Paid James Morris, per Order,		7	0	0
Paid Hugh Roberts, per Order, for Indian Goods,		2	17	10
Paid William Donaldson, per Order, his Account for dieting Soldiers		6	17	0
Paid Charles Stow, Door-keeper to the Council, per Order,		14	12	6
Paid Samuel Kirk, Sergeant at Arms, per Order,		8	0	0
Paid Thomas James, per Order, for dieting French Prisoners,		29	19	9
Paid William Parker, for George Wood, per Order, for dieting Soldiers,		4	3	0
Paid William Parker, for dieting Soldiers, per Order,		5	0	2½
Paid Dorcas Buchanan, for dieting French Prisoners, per Order,		5	12	6
Paid Richard Peters, for Indian Affairs, per Order,		108	5	0½
Paid James Mather, for dieting Soldiers, per Order		19	3	10
Paid David Coupland, for dieting Soldiers, per Order,		21	0	0
Paid Edward Warner, per Order,		7	0	0
Paid Levy and Franks, for Indian Affairs,		70	2	0
Paid Lloyd Zachary, per Order,		3	0	0
Paid Margaret Howes, for dieting Soldiers,		5	5	0
Paid William Attwood, for Indian Affairs,		14	12	10
Paid Arthur Patterson, for J. Sterret, per Order,		6	10	0
Paid James Webb, per Order,		1	10	0
Paid John Owen, per Order,		5	5	0
Paid Abraham Chapman, per Order,		6	0	0
Paid John Bulnoy, for bringing an Express from the Duke of Bedford,		1	0	0
Paid Adam Weaver, per Order,		2	19	0
Paid Richard Peters, for Indian Affairs, per Order,		166	18	0
Paid Thomas Lawrence, for Indian Affairs, per Order,		41	17	0
Paid Thomas Græme, for Indian Affairs, per Order,		9	15	6
Paid Samuel Gilford, for Indian Affairs, per Order,		1	4	0
Paid Conrad Weiser, Interpreter to the Province, per Order,		133	2	0
Paid Lynford Lardner, per Order,		1	4	0
Paid Isaac Norris, for Postage of Letters,		10	0	0
Paid Joseph Scull, per Order,		2	12	4
Paid James Whitehead, for dieting Prisoners of War, per Order,		3	6	0
Paid John Kinsey, on Account of George Croghan, per Order,		221	0	0
Paid John Clifton, for keeping the Indians and the Interpreter's Horses,		3	2	11
Paid Mary Borden, for the Maintenance of the Indians when last in Town,		25	2	9
Paid Richard Peters, in Behalf of the Governor,		400	0	0
	£	1,486	16	2½
To Commissions on the above, at 5 £ per Cent,		74	6	9½
Balance in the Hands of the Treasurer due to the Province,		900	13	7
				£ 2,461 16 6½

THAT we have examined the Accounts of Judah Foulke, Collector of the Excise for the City and County of Philadelphia, and find that he Credits the Province,

By the Balance of Account, settled with the Committee last Year,	£	683	6	3			
By the Amount of Excise from 4th Mo. 1, 1748, to 4th Mo. 1, 1749,		1,809	3	8			
By Cash received of sundry Persons for Fines, as per List,		27	0	0			
					£	2,519	9 11
THAT he Charges the Province with his Commissions on £ 1,809 3 8, at 5 per Cent,		90	9	2			
To Cash paid Michael Lightfoot, Provincial Treasurer, at sundry Times,		1,303	4	0			
Balance due to the Province,		1,125	16	9			
					£	2,519	9 11

1749. 6th Mo. 19.

THAT we have examined the Accounts of William Atkinſon, Collector of the Exciſe for the County of Bucks, and find that he Credits the Province,

By the Balance of Account ſettled with the Committee laſt Year,	£	107	18	2
By the Amount of Exciſe from 4th Month 1, 1748, to 4th Month, 1749,		170	11	4
			£	278 9 6

THAT he Charges the Province with the following Articles,

To Caſh paid Michael Lightfoot, Provincial Treaſurer, at ſundry Times,	£	174	0	0
Commiſſions at 10 per Cent, on 174 l.		17	8	0
Balance due to the Province,		87	1	6
			£	278 9 6

THAT we have examined the Accounts of Jeremiah Star, Collector of the Exciſe for the County of Cheſter, and find that he Credits the Province,

By the Balance of Accounts ſettled with the Committee laſt Year,	£	231	1	10
By the Amount of Exciſe, from 4th Mo. 1, 1748, to 4th Mo. 1, 1749,		286	13	8
By Caſh received for Fines of ſundry Perſons, as per Liſt,		7	10	0
			£	525 5 6

THAT he Charges the Province with the following Articles,

To Caſh paid Michael Lightfoot, Provincial Treaſurer, at ſundry Times,	£	421	4	3
To his Commiſſions on £ 421 4ſ 3, at 10 l. per Cent.		42	2	5
Balance due to the Province,		61	18	10
			£	525 5 6

THAT we have examined the Accounts of Arthur Patterſon, Collector of the Exciſe for the County of Lancaſter, and find that he Credits the Province,

By the Balance of Account, ſettled with the Committee laſt Year,	£	168	19	9½
By the Amount of Exciſe, from 4th Mo. 1, 1748, to 4th Mo. 1, 1749,		196	13	0
			£	365 12 9½

THAT he Charges the Province with the following Articles,

To Caſh paid Michael Lightfoot, Provincial Treaſurer, ſince the laſt Settlement, at ſundry Times,	£	206	5	6
To Commiſſions on £ 206 5ſ 6, at 10 l. per Cent,		20	12	6½
Balance due to the Province,		138	14	9
			£	365 12 9½

WE do further Report, that we have ſunk and deſtroyed of the old Bills of Credit of the ſeveral Emiſſions, purſuant to the Directions of the £ 80,000 Act, £ 328 9 0

And ſunk by former Committees the Sum of 65,578 7 6

There remains to be ſunk to compleat all the Bills of the ſeveral Emiſſions before the £ 80,000 Act, the Sum of 2,982 18 6

£ 68,889 15 0

WE have alſo ſunk and deſtroyed of the Bills emitted by Virtue of the firſt £ 80,000 Act, and the £ 10,000 Act purſuant to an Act of Aſſembly, the Sum of £ 1,242 17 6

And ſunk by former Committees of the Bills emitted by Virtue of the firſt £ 80,000 Act, 1,110 13 6

£ 2,353 11 0

Submitted to the Correction of the Houſe, 6th Month 10, 1749, *by*
EDWARD WARNER,
MAHLON KIRKBRIDE,
JOHN OWEN."

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

The Gentlemen appointed to ſee the Seal affixed to the Laws, report, that the ſame is done, and that they are depoſited in the Rolls Office.

The Houſe took into Conſideration the Secretary's Accounts, and after ſome Debate, the Queſtion was put, that an Allowance be now made the Secretary for his extraordinary Services the leaſt Year? *Paſt in the Negative.*

Reſolved, That the further Conſideration of that Demand be recommended to the ſucceeding Aſſembly.

Ordered, That the Bonds of the late Truſtees, who are diſcharged from that Office, be delivered up.

Lewis Evans having preſented this Houſe with a Map done by him, of this and the neighbouring Provinces,

Ordered, That a Preſent be made him from this Houſe of *Ten Pounds*, in Reward of his Induſtry and Ingenuity in making the ſaid Map.

And an Order was accordingly drawn on the Treaſurer for Payment of the ſame, and ſigned by the Speaker.

Ordered, That *Twelve Pounds* be allowed to *Jane Teer*, and *Thirty Shillings* to *William Clark*, in Compenſation of the Damage they received from the *Indians*.

Then the Orders for Payment of the Salaries of Public Officers, and other Allowances made by the Houſe, being drawn, and ſigned by the Speaker,

The Houſe adjourned to the 30th of *September* next.

INCIDENTAL CHARGES.

Incidental Charges.

TO the Honourable *JAMES HAMILTON*, Eſq; Lieutenant Governor, in Part of the Year's Support,	£	600	0	0
To *John Kinſey*, Eſq; Chief Judge of the Supreme Court, his Salary,		200	0	0
To *Thomas Græme*, Eſq; another of the Judges, his Salary,		60	0	0
To *William Till*, Eſq; another of the Judges, his Salary,		60	0	0
Carried forward	£	920	0	0

Brought forward	£	920	0	0
To *Richard Partridge*, Esq; his Salary as Agent, 100 £ Sterl.		172	10	0
To Ditto, towards defraying the Public Expences there, per Order, 100 £ Sterling.		172	10	0
To the Speaker, for Drawing Bills, &c.		80	0	0
To the Members of Assembly, for their Attendance, at 5*s.* per Day, the gross Sum,		358	5	0
To *Tench Francis*, Esq; Attorney General, his Salary,		70	0	0
To *Isaac Norris*, for 2 Days Attendance on the Committee for Accounts, and burning Paper Money,		0	10	0
To *Mahlon Kirkbride*, for 24 Days Ditto,		6	0	0
To *Edward Warner*, for 28 Days Ditto,		7	0	0
To *John Owen*, for 24 Days Ditto,		6	0	0
To *Oswald Peele*, for 2 Days Ditto,		0	10	0
To *Richard Peters*, Esq; Secretary, his Salary as Clerk of the Council,		15	0	0
To Ditto, for Services, &c. as per Account,		36	8	6
To *Charles Brockden*, Esq; Keeper of the Rolls, his Account,		25	7	9
To *Conrad Weiser*, Esq; for his Service as Interpreter, and Expences in Public Affairs, to the 18th of the 6th Month, 1749,		173	6	0
To *Benjamin Franklin*, as Clerk of the House, and for Printing,		105	18	0
To *John Jervis*, for Service to the Committee of Accounts,		1	10	0
To *Lewis Evans*, a Present from the House,		10	0	0
To *Thomas Borden*, Door-keeper, for Attendance on the Assembly and Committees,		14	3	0
To *John Stephens*, for Entertaining *French* Prisoners,		58	11	0
To *Samuel Kirk*, Sergeant at Arms, his Salary,		8	0	0
To *Charles Stow*, Door-keeper to the Council, 45 Days at 2*s.* 6*d.*		5	12	6
To *Henry Ote*, for Damage done him by *Indians*,		5	0	0
To *James Brooke*, for Ditto,		2	0	0
To *Jane Teer*, for Ditto,		12	0	0
To *William Clark*, for Ditto,		1	10	0
To *Benjamin Hooton*, for Attendance on a sick *Indian*,		5	0	0
To Dr. *Richard Farmer*, for Medicines, &c. to said *Indian*,		3	16	1
To *Thomas M'Kee*, his Account of Provisions, &c. supplied the *Indians*,		5	8	0
To *James Sterret*, his Account,		5	0	0
To *William Dunwick*, for Mending *Indian* Guns,		4	9	3
To *David M'Neer*, for bringing a Man from *Lancaster*,		0	18	0
	£	2,292	3	1

1749. 6th Mo. 19.

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1749.

BY the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen were chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the Year ensuing, *viz.* 8th Mo. 14.

For *Philadelphia* County.
John Kinsey,
Isaac Norris,
Edward Warner,
Joseph Trotter,
James Morris,
Oswald Peele,
Owen Evans,
Hugh Evans.

For *Bucks* County.
John Woolston,
Samuel Eastburn,
Joseph Hampton,
Mahlon Kirkbride,
Richard Walker,
Griffith Owen,
Garrat Vansant,
John Hall.

For *Chester* County.
Joseph Gibbons,
George Ashbridge,
Henry Hockley,
Thomas Chandler,
Nathaniel Grubb,
Nathaniel Pennock,
Roger Hunt,
Thomas Cummings.

For *Philadelphia* City.
Israel Pemberton, *Thomas Leech*, } Burgesses.

For *Lancaster* County.
Arthur Patterson, *Peter Worral*,
James Wright, *Calvin Cooper*.

For *York* County.
John Wright, *John Armstrong*.

And

1749. 8th Mo. 14. And a Quorum of the Repreſentatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and *John Kinſey*, Eſq; was unanimouſly choſen Speaker of this Houſe for the enſuing Year, and accordingly placed in the Chair.

Ordered, That *Edward Warner*, *Thomas Leech*, *Samuel Eaſtburn*, *Joſeph Gibbins*, *James Wright* and *John Wright* wait upon the Governor, and acquaint him, that a Quorum of the Repreſentatives have met, and proceeded to the Choice of a Speaker, and deſire to know when he will be pleaſed to receive the Houſe, that they may preſent their Speaker.

Adjournment 8th Mo. 16. Then the Houſe adjourned to next *Second-day*, at Ten o'Clock in the Morning.

The Gentlemen appointed to wait on the Governor with the Meſſage of the Houſe, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would receive the Houſe this Day at Eleven o'Clock, in the Council Chamber.

The Secretary attending, was called in, and ſaid,

GENTLEMEN,

The Governor is now ready to receive the Houſe in the Council Chamber.

Then the Speaker, with the whole Houſe, waited on the Governor.

And being returned,

The Speaker reported, that the Houſe had waited on the Governor, and preſented their Speaker, and that the Governor was pleaſed to approve their Choice. That the Speaker had then, in the Name and Behalf of the Houſe, claimed the uſual Privileges, *viz.*

That the Houſe, during the Time of their Sitting in Aſſembly, may enjoy Freedom of Speech in all their Propoſitions and Debates.

That the better to diſcharge the Buſineſs of the Public, they may at all ſeaſonable Times have free Acceſs to the Governor.

That their Perſons and Eſtates may be protected from all Arreſts, during the Time of Privilege accuſtomed.

That it would pleaſe the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the Houſe, until the ſame ſhall have paſſed into a Reſolve, nor give the leaſt Credit to ſuch Report. And laſtly,

That his own (the Speaker's) unwilling Miſtakes may be excuſed, and not imputed to the Houſe.

All which he had requeſted as the juſt Rights and Privileges of the People of *Pennſylvania*, derived and confirmed to them by the Charters and Laws of this Province. To which the Governor was pleaſed to anſwer, that he looked upon thoſe Privileges as eſſential to the very Being of Aſſemblies, and that they ſhould be by him inviolably preſerved.

Then the Qualifications by Law directed, were taken and ſubſcribed, firſt by the Speaker in the Chair, and then at the Table by all the reſt of the Members preſent, in their Order.

Reſolved, That *Benjamin Franklin* be Clerk to this Houſe for the enſuing Year,

And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be appointed Sergeant at Arms to this Houſe for the enſuing Year.

A Petition from *Edward Kelly*, praying to be appointed Door-keeper to the Houſe, was preſented, and read.

Reſolved, That *Edward Kelly* be Door-keeper to this Houſe for the enſuing Year.

The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, with ſundry Papers therein referred to, which were read, and the ſaid Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'BY the Letter herewith delivered you, which I have lately had the Honour to receive from his Grace the Duke of *Bedford*, one of His Majeſty's principal Secretaries of State, you will perceive that the Paper Money of the ſeveral Plantations in *America*, is again like to come under the Conſideration of the Parliament at their next Seſſions, which will probably be in the Month of *December*, or *January*: And as I eſteem it a principal Part of my Duty to have a watchful Care for the true Intereſt of the People under my Government, I have made uſe of the earlieſt Opportunity to communicate to you, their Repreſentatives, His Majeſty's Orders to me upon that Head, thereby putting it in your Power to obviate any Prejudices or miſtaken Notions that may have been conceived with Regard to the Currency of this Province, before they can be carried into Execution.

'I take it for granted, we are all ſenſible of the miſchievous Tendency of the Bill that was brought into Parliament the laſt Year, to regulate and reſtrain Paper Bills of Credit in the Plantations; and as it is not improbable that ſomething of the ſame Kind may

'be

1749. 8th Mo. 16.

'be again offered in the ensuing Session, I persuade myself you will think it convenient 'to give your Agent full Instructions upon this Subject, in case it should become ne- 'cessary for him to oppose it. The honourable Proprietaries at that Time laboured 'indefatigably, and with Success, to avert the Mischiefs that threatened this Province, 'from the passing of the said Bill; and I have it in Command from them, to assure you 'of their Assistance upon all future Occasions, wherein the Welfare and Happiness of 'the People of this Province may be concerned.

'Although this be not the usual Time of your Sitting to do Business, yet I hope, in 'Consideration of the Importance of this Matter, you will, before your Adjournment, 'furnish me with a clear and exact State of our Paper Currency, to be transmitted forth- 'with, pursuant to the Directions contained in the Letter before mentioned.

'The last Assembly having adjourned before I had finished with the *Indians*, I could 'only acquaint them with a Part of their Business; what passed afterwards between me 'and them, you will see in the Minutes of Council, which the Secretary has my Orders 'to lay before you.

'The Committee of Assembly appointed to take Care of the *Indians*, conceiving that 'they had no Authority to make any further Provision for them, than during their Stay 'in the City, the Interpreter, at my Request, defrayed the Expences in their Return, 'which you will please to order to be repaid to him.

Oct. 16, 1749. *JAMES HAMILTON.*"

To JAMES HAMILTON, *Esq; Deputy Governor of His Majesty's Province of* Pennsylvania, *in* America, *and in his Absence, to the Commander in Chief of the said Province for the Time being.*

SIR,

'UPON the 30th of *May* last, the House of Commons presented an humble Ad- 'dress to the King, desiring, that His Majesty would be graciously pleased to give 'Directions, that there be laid before that House, in the next Session of Parlia- 'ment, an Account of the Tenor and Amount of all the Bills of Credit, which have 'been created and issued in the several *British* Colonies and Plantations in *America*, as 'well those under Proprietors and Charters, as under His Majesty's immediate Com- 'mission and Government, that shall be then outstanding, distinguishing the Amount 'of the same in each Colony or Plantation, and the respective Times, when such Bills 'so outstanding, were issued, with the Amount of the said Bills in Money of *Great- 'Britain*, both at the Times when such Bills were issued, and at the Time of preparing 'the said Account, and also the Times fixed for the calling in, sinking and discharging 'such Bills, and the Funds appropriated for that Purpose. And I am now in Conse- 'quence thereof, commanded by His Majesty, to signify His Pleasure to you, that you 'should order all such Accounts, so far as they relate to your Government, to be pre- 'pared and transmitted forthwith to me, that I may lay the same before His Majesty, and 'receive His farther Pleasure thereupon, with regard to their being laid before the 'Parliament.

I am, Sir, your most obedient humble Servant,

Whitehall, July 19, 1749. *BEDFORD.*"

[See the Minutes of Council, dated *August* 16, 1749.]

The Minutes of Council, *&c.* being read,

The House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

Richard Walker, returned a Representative for the County of *Bucks*, and *Nathaniel Grubb*, returned a Representative for the County of *Chester*, appearing in the House, took and subscribed the Qualifications required to be taken by Members of Assembly, and then took their Places in the House accordingly.

The Governor's Message was again read, and considered.

Ordered, That *Thomas Leech*, *Isaac Norris*, *Israel Pemberton*, *James Morris* and *Edward Warner* be a Committee to prepare the Draught of an Answer to the Governor's Message, and an Account of the State of the Paper Money of this Province, to be transmitted Home, in Obedience to the Commands of the Crown.

A Petition from *James Webb*, of *Lancaster* County, was presented to the House and read, setting forth, that he is credibly informed it is the Opinion of a great Number of the Freeholders and other Electors of the said County, that he had, at the last Election, a considerable Majority of lawful Votes to be a Representative of the said County; but that by the Frauds then committed, which he doubts not will appear to the House, in the Depositions to be laid before them, he was not returned: And as the good People of this Province will be deprived of one of their most valuable Privileges, if such Frauds and irregular Practices are suffered to continue without Notice, the Petitioner prays that the House would take the same into Consideration, and apply such Remedy in the present Case, and take such Measures to prevent the like hereafter, as to their Wisdom shall seem meet.

Ordered to lie on the Table.

1749. 8th Mo. 16. Sundry Petitions from a Number of Freeholders of *Lancaſter* County, were alſo preſented to the Houſe and read, ſetting forth, that at the laſt Election for the ſaid County, the People preſſed and crouded in a Body to deliver their Tickets, which ſome preſented to the Inſpectors at the Ends of cloven Sticks, who received them in ſuch Numbers, and in ſo tumultuous a Manner, that it was impoſſible the Names of the Voters ſhould be known and entered, as the Law and the Qualifications of the Inſpectors require; by which Means great Frauds were committed, Tickets put in by Boys, and repeated ſeveral times unnoticed by the Inſpectors, ſo that the Number of Votes in the caſting up, amounted to above double the Number of Voters in Town, from the beſt Obſervations and Calculation. That it is apprehended, the Officer and Perſons appointed to aſſiſt him in holding the Election, from the Diſuſe of calling for the Liſt of Voters, and comparing it with the Number of Tickets read, in order to diſcover Frauds, have been encouraged to proceed in the Manner above: And praying that the Houſe would take the Premiſes into Conſideration, and order the Sheriff and Inſpectors to appear before the Houſe with their Liſts of Voters to be examined, by which the Petitioners doubt not the Fraud will appear, without further Scrutiny, and the Election be deemed void; and that the Houſe would grant ſuch other Relief in the Premiſes, and for the future Preſervation of the Rights of Electors, and preventing Frauds, as ſhall ſeem meet.

Ordered to lie on the Table.

Sundry Affidavits accompanying the foregoing Petitions, were alſo read, and referred to further Conſideration.

Reſolved, That *Richard Partridge*, Eſq; be continued Agent of this Province at the Court of *Great-Britain* for the enſuing Year.

Ordered, That *Iſaac Norris*, *Iſrael Pemberton* and *Thomas Leech* be, with the Speaker, a Committee of Correſpondence.

Ordered, That *Iſaac Norris*, *Edward Warner*, *Thomas Leech*, *Oſwald Peele*, *Mahlon Kirkbride* and *Thomas Cummings* be a Committee to audit and ſettle the Accounts of the General Loan-Office, and other public Accounts, and to ſink and deſtroy the Bills of Credit received in Exchange, purſuant to the late Paper Money Acts; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That *Thomas Leech*, *Joſeph Trotter*, *Joſeph Hamton*, *George Aſhbridge*, *James Wright* and *John Wright* be a Committee of Aggrievances for the enſuing Year; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That the Minutes be printed, and that *Thomas Leech* and *Iſrael Pemberton* be a Committee to reviſe them before they are printed.

The Interpreter's Account of Expences on the *Indians* in their Return, laid before the Houſe by Order of the Governor, is referred to the Committee appointed to prepare an Anſwer to the Governor's Meſſage, who are to report thereon to the Houſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

8th Mo. 17. *Hugh Evans*, returned a Repreſentative for the County of *Philadelphia*, appeared in the Houſe, and took and ſubſcribed the Qualifications by Law required of Members of Aſſembly, and then took his Place in the Houſe accordingly.

The Committee of Aggrievances preſented a Paper to the Houſe, which was read, and follows in theſe Words, *viz.*

Report of the Committee of Aggrievances. WE, the Committee of Aggrievances, do humbly repreſent to this Houſe, that the Bounty allowed by a late Law upon Squirrel Scalps, is a very great Grievance; and the Expences thereby ariſing, are likely to prove ſo large, that the Taxes allowed to be raiſed by the County Levy Act will not be ſufficient to defray the ſame. And we are of Opinion, that the ſaid Act, granting the Bounty, has not anſwered the End deſigned thereby; therefore we do humbly propoſe that the ſaid Act be repealed.

THOMAS LEECH, JAMES WRIGHT,
JOSEPH TROTTER, JOHN WRIGHT."

Reſolved, That the Conſideration of the Squirrel Act be poſtponed to the next Sitting.

The Petitions from *Lancaſter* County, complaining of an undue Election and Return of Repreſentatives for the ſaid County, were again read;

Ordered, That the Petitioners ſerve the Sheriff and Inſpectors of the late Election in the ſaid County, with Copies of their Petitions, and of the Affidavits accompanying them; and give the ſaid Sheriff and Inſpectors Notice to attend the Houſe on the firſt Day of the next Sitting. And that the Complainants and their Witneſſes attend at the ſame Time.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed by the laſt Aſſembly to take Care of the *Indians* during their Stay in Town, made a Report of their Doings, and laid their Accounts before the Houſe, which were read, and approved of.

The Committee to whom the Interpreter's Account was referred, report, that they have

have examined the same, amounting to £ 87 19 2, and are of Opinion it ought to be allowed; which was agreed to by the House, and an Order drawn accordingly for the Payment. 1749. 8th Mo. 17.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *William Magaw* and *James Silver*, in Behalf of themselves and others, the Inhabitants of the North Valley, on the West-side of the River *Susquehannah*, in the County of *Lancaster*, was presented to the House and read, setting forth, that the Inhabitants of the said Valley are at a very great Distance from *Lancaster*, by Reason whereof, and of the Difficulty of passing *Susquehannah* in the Winter Season, they cannot often attend the Courts; and the Expence of bringing Criminals to Justice, and of serving Writs and other Processes at Common Law is very heavy and grievous to the said Inhabitants, the poorer Sort of whom are often obliged to suffer Felony and other enormous Crimes to pass unpunished, rather than attend the Prosecution of them at so great a Distance; which tends to the Increase of such Crimes, and the Encouragement of evil disposed Persons to harbour and lurk in Places where the Means of bringing them to Justice are attended with so many Inconveniences; that the Inhabitants of the said Valley and Places adjacent, are more numerous and their respective Townships larger, and at a greater Distance from the Town of *Lancaster* than those of the Southern Valley, lately made into a distinct County; and therefore praying, that the House would take the Premises into their prudent and equitable Consideration, and grant the Petitioners Leave to bring in a Bill for making the said Northern Valley and Places adjacent a County of itself, distinct from the County of *Lancaster*, in such Manner as to the House shall seem meet. 8th Mo. 18.

Ordered to lie on the Table.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read by Order, and ordered to be transcribed, that it may be sent up to the Governor.

The Committee also made a Report on the State of the Currency of this Province in Writing, which was read and approved, and follows in these Words, *viz.*

In Obedience to the Order of the House, we have taken into our Consideration the present State of the Bills of Credit which have been issued, and are now current in the Province of Pennsylvania, *and the Times appointed by Law for paying in and sinking the same; together with the Value of the whole Sum of those Bills in Sterling Money of* Great-Britain. *And we do report,*

A Report of the Committee on the State of Paper Currency.

THAT in the Year 1739, an Account was settled by the Assembly, of all the Bills of Credit issued by several Acts from their first Emission in the Year 1723, to that Time; by which it appears, that the Sum of £ 80,000, and no more, was then current in this Province; which being reduced to Sterling Money of *Great-Britain*, amounted to £ 50,196. At which Time also, the same Assembly, upon an exact and careful Enquiry, settled the Rates of Gold and Silver Coin, by ascertaining the Prices at which they were received and paid, or bought and sold, from the Year 1700 to that Year. Since which, our Bills of Credit have continued nearly the same, both in the total Sum, and the Value, when reduced to Gold and Silver, or Sterling Money. But such Alterations and Addition as have been since made, we have comprized in the following Account.

In the Year 1745, an Act of Assembly was past for continuing the Currency of the aforesaid £ 80,000 for sixteen Years; during the first ten Years whereof, the whole Sum is to be kept up, by lending out, or re-emitting the yearly Quotas, or Payments, as they become due, upon the same real Securities, and under the same Penalties and Restrictions, as directed by former Acts: In which, besides obliging the Borrowers to give Land, Plate or Houses in Security, of double the Value of the Sum borrowed, it is further provided, that no one Person shall borrow more than £ 100. And after the Expiration of ten Years as aforesaid, the Act provides, that one sixth Part of all the Bills of Credit shall be paid in yearly, in order to be sunk and destroyed; by which Means the whole £ 80,000 is to be paid in and destroyed in sixteen Years from the Time of issuing those Bills, which was the 15th of *October*, 1746.

In the Year 1746, an Act was past giving £ 5,000 to the King's Use, to be sunk in ten yearly Payments, of £ 500 each, by the Treasurer, out of Money arising from the Excise, yearly payable into his Hands. Which Bills of Credit were accordingly made and issued, in Pursuance of the said Act, and applied by Colonel *Thomas*, then Lieutenant Governor, to an Expedition at that Time on Foot against *Canada*: So that the whole Amount of Bills of Credit current in this Province at this Time is £ 85,000, and no more; which reduced to Sterling Money of *Great-Britain* is £ 53,333 6 8.

Permit us to add, that our Paper Bills being found by Experience much below the Sum necessary to carry on our Trade, which of late Years has been very much encreased, especially to *Great-Britain*; and yet should we be deprived of those Paper Bills, small as the Sum is, it would in a great Measure disable us from paying the yearly Balance of

Trade

1749. *8th Mo.* 18. Trade againſt us to our Mother Country, and conſequently oblige us to engage in ſundry Manufactures here, which we have from thence. Though our Payments at this Time are chiefly in Gold and Silver, which for ſeveral Years have paſſed current among us at *Eight Shillings* and *Six-pence per* Ounce for Silver, and *Six Pounds Five Shillings per* Ounce for Gold; and at thoſe Rates are continually remitted Home, but muſt be detained here, if we are deprived of our other Currency.

Submitted to the Correction of the Houſe, by

ISRAEL PEMBERTON, EDWARD WARNER,
THOMAS LEECH, JAMES MORRIS."

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Meſſage to the Governor being tranſcribed, was read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. WE gratefully acknowledge 'the watchful Care,' the Governor hath been pleaſed to take 'for the true Intereſt of the People under his Government,' whom we repreſent; in having made uſe of this early Opportunity to put it in our Power, 'to obviate any Prejudices or miſtaken Notions, that may have been conceived with Regard 'to the Currency of this Province, before they are carried into Execution.'

Senſible of 'the miſchievous Tendency of the Bill that was brought into Parliament 'the laſt Year, to regulate and reſtrain Paper Bills of Credit in the Plantations:' And apprehenſive 'that ſomething of the ſame Kind may again be offered, in the enſuing 'Seſſion,' we are fully of Opinion with the Governor, 'to give our Agent full Inſtructions on the Subject,' that 'in caſe it ſhould become neceſſary, he may oppoſe it.'

We alſo gratefully acknowledge the Obligations we are under to our Proprietaries, both for the Aſſiſtance they have already been pleaſed to afford us, in relation to our Bills of Credit, as alſo for ſuch as they promiſe us in future.

Though it be not the uſual Time of our Sitting to do Buſineſs, yet the Importance of the Matter recommended to us, is ſuch, that purſuant to the Governor's Recommendation, we have thought it neceſſary 'to furniſh the Governor with a clear and exact 'State of our Paper Currency, to be tranſmitted forthwith,' purſuant to the Directions he hath received. To this End, a Committee were appointed, whoſe Report, which hath been approved of by the Houſe, we ſend herewith, from whence we think it will evidently appear, that due Care hath been taken to ſupport its Credit, and that the Sum total in Proportion to our Commerce, is very ſmall. And yet ſmall as it is, were we deprived of it, would have a Tendency to diſable us from paying the Balance of Trade againſt us, to our Mother Country, and conſequently put us under the Neceſſity of engaging in divers Manufactures here, which at preſent we are ſupplied with at cheaper Rates from thence.

We ſhall take the neceſſary Care to diſcharge the Remainder of the Money due for the Maintenance of the *Indians*, in their Return homewards; we obſerve their frequent Viſits put the Province to conſiderable Charge, whereas Part of their Buſineſs often is either for the Sale of Land to the Proprietaries, or other Matters relative thereunto: We therefore hope the Governor will take an Opportunity of recommending it to the Proprietaries, that they may bear a Share of the Expence, who receive ſo great a Part of the Benefit by the coming of the *Indians*."

And the ſaid Meſſage being ſigned by the Speaker, per Order of the Houſe,

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor with the ſame, and with the Copy of the Report of the Committee relating to the Currency; and acquaint him that the Houſe inclines to adjourn to the 20th of *November* next, if he hath no Objection to that Time.

The Gentlemen return and report, that they waited on the Governor, and delivered what they had in Charge, according to Order, and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment.

Adjournment Then the Houſe adjourned to the 20th Day of *November* next.

9th Mo. 20. THE Houſe met purſuant to their Adjournment.

Ordered, That *Edward Warner* and *James Morris*, wait upon the Governor, and acquaint him, that the Houſe is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

9th Mo. 21. *John Hall*, returned a Repreſentative for the County of *Bucks*, appearing in the Houſe, took and ſubſcribed the Qualification by Law appointed to be taken and ſubſcribed by Members of this Houſe, and then took his Seat in the Houſe accordingly.

The Gentlemen appointed to wait on the Governor with the Meſſage of Yeſternight, report, that they delivered the ſame according to Order; and that the Governor was

pleaſed

pleased to say, if any Thing should occur to him proper for the Consideration of the House, during their Sitting, he would communicate it by Message. 1749. 9th Mo. 21.

The Petition of *James Webb*, and the other Petitions from a Number of the Freeholders of *Lancaster* County, complaining of an undue Election and Return for the said County, were again read.

And the House being informed that the Petitioners are attending, and desire to be heard by Counsel in support of their Petition;

Ordered, That the Petitioners have Leave to be heard by Counsel at the Bar of the House; and that the Sheriff and Inspectors have also Leave to be heard by Counsel in support of the Election, if they think fit.

The Petition of *William Magaw* and *James Silver*, Agents for the Inhabitants of the *North Valley*, over *Susquehannah*, in Behalf of themselves and the said Inhabitants, praying that the said Valley may be erected into a separate County, was again read, and

Referred to further Consideration.

Ordered, That both the Parties concerned in the Affair of the *Lancaster* Election attend the House this Afternoon, in order to a Hearing; and that Notice be given them accordingly by the Sergeant at Arms.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

An Account of Goods presented to the *Indians* at the last Treaty, amounting to £. 507 16*s* 2*d*. was laid before the House, and allowed to be paid to the several Persons who furnished the same.

A Petition from the Sheriff and two of the Inspectors at the late Election for *Lancaster* County, was presented to the House and read, setting forth, that not being served with timely and due Notice of the Order of this House at the last Sitting, it was rendered impracticable for the Petitioners to bring several material Evidences who could justify the Proceedings at the said Election; and therefore praying farther Time may be allowed, before the House proceed to a Hearing and Determination on the said Affair.

Ordered to lie on the Table.

The House being informed, that the Parties are attending according to the Order of the Day, they were called in; and the Petitioners against the said Election being informed by the Speaker of the Complaint that they had not given due Notice to the Sheriff and Inspectors of the Order of the House; they acquainted the House at what Times, and in what Manner they had given the said Notice: And the Counsel for the Defendants alledging that such Notice was not sufficient, and therefore praying farther Day: And the Counsel for the Petitioners urging that they had been at great Expence, which would be lost if the Hearing should be postponed; that the Burthen of proving Lies upon them, and that they are now ready with their Witnesses to prove the Allegations in their several Petitions; and therefore praying that the House would at this Time proceed to the Hearing:

The Parties were ordered to withdraw.

And after some Consideration and Debate, it was

Resolved, That the House will proceed to hear the Petitioners at this Time, and also what the Sheriff and Inspectors may have to offer in their Justification; and if they have any material Witnesses that cannot now be adduced, they shall be allowed farther Day.

And the Parties being called in and acquainted with the Resolution of the House;

The House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from sundry Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth that it hath been the frequent Practice of the Merchants concerned in the Importation of *Germans* and other Foreigners into this Province, for the sake of Lucre, to receive into their Vessels a much greater Number than could be fitly accommodated; whereby epidemic Diseases have been produced amongst them, and a great Mortality hath ensued, to the Loss of some Hundreds in one Vessel, and the great Affliction and Discouragement of their surviving Relations, some of which have been obliged by their own Labour to defray the Freight (or Passage-Money) of the Dead: That sundry other Inconveniencies have arisen to these poor Strangers from this Practice; and particularly their being obliged to leave their Chests, Clothes and other Furniture behind them, to their great Perplexity afterwards, if not their entire Loss of them: That besides the Injury done to these *Germans* by this iniquitous and infamous Practice, the Inhabitants of this Province become greatly endangered by the Importation of mortal Distempers, which are found by sorrowful Experience to be easily propagated in this Climate; that the Want of suitable Buildings and other Conveniencies for the comfortable Reception and Accommodation of such distempered Strangers, has probably forwarded, and perhaps occasioned the Death of many, as it has made it difficult and almost impossible to procure faithful Persons to take the necessary Care of them; by which Neglect the Sick have been induced to leave the Places appointed for them, and to wander from one Place to another, to the manifest Danger of the Inhabitants, by spreading the Distempers they were infected with, over this and the neighbouring Provinces: And 9th Mo. 22.

1749. 9th Mo. 22. praying, that the Houſe would take the Premiſes into Conſideration, and make ſuch Proviſion for the Prevention of ſuch Practices, the Relief of thoſe Strangers, and the Safety of the Inhabitants, as to their Wiſdom ſhall ſeem meet.

Ordered to lie on the Table.

The Houſe proceeded to the Hearing of the Matters contained in the ſeveral Petitions complaining of an undue Election and Return for the County of *Lancaſter*.

And the Parties with their Counſel being called in;

The Counſel for the Petitioners was heard, and examined ſeveral Witneſſes on their reſpective ſolemn Affirmations, in order to prove, that the Election was carried on in ſo tumultuous a Manner, that no regular Liſt could be taken of the Voters Names; that Votes by Proxy were allowed, particularly two received by *Chriſtian Herr*, one of the Inſpectors; that Votes given in by Perſons under Age were allowed, and received by the Inſpectors in great Numbers, particularly one received by *Iſaac Saunders*, an Inſpector; that Perſons acted as Inſpectors, who were not legally choſen; that many of the Voters voted repeatedly, ſome three, four, five, and ſome ten Times; that one of the Candidates, who is returned a Repreſentative, encouraged the giving in more Votes than one by the ſame Perſon in his Favour; and that the Number of Voters did not exceed a Thouſand, though the Tickets found in the Box were more than *Two Thouſand Three Hundred.*

And the Counſel for the Petitioners having gone through Part of their Evidence, the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters of the ſeveral Petitions complaining of an undue Election and Return for the County of *Lancaſter* be adjourned to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe proceeded to the further Hearing of the Matters of the ſeveral Petitions complaining of an undue Election and Return for the County of *Lancaſter*;

And the Parties being called in;

The Counſel for the Petitioners examined ſeveral other Witneſſes in ſupport of their Petitions, and to make good their ſeveral Allegations againſt the Regularity and Validity of the Election.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters relating to the ſaid Election, be adjourned till To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

9th Mo. 23. A Repreſentation from *David Stephens* was laid before the Houſe and read, ſetting forth, that the Law to prevent the killing of Deer out of Seaſon, does not anſwer the good Purpoſes for which it was intended, the Penalty being too ſmall, and the Time allowed for killing Deer too long; that in ſome Years a greater Number of Deer are killed when out of Seaſon than in Seaſon, though neither Fleſh nor Skins are then of much Value; and therefore recommending an Amendment of the ſaid Law to the Conſideration of the Houſe. *Ordered to lie on the Table.*

A Petition from a Number of Inhabitants of the County of *York*, ſetting forth, that the Expence of paying *Three-pence* per Head for every Squirrel killed in the ſaid County, according to a late Law of this Province, will vaſtly exceed the Damage done by thoſe Creatures, and occaſion a Tax in that new County too heavy to be borne, as they have now all the neceſſary public Buildings to erect, which muſt likewiſe be paid for by a Tax on the Inhabitants; and therefore praying that the ſaid Act may be repealed; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

The Houſe proceeded to the further Hearing of the Matters of the ſeveral Petitions complaining of an undue Election and Return for the County of *Lancaſter*;

And the Parties being called in;

The Counſel for the Petitioners examined ſeveral other Witneſſes, in further ſupport of the Allegations of the ſeveral Petitions.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Matters contained in the ſaid Petitions be adjourned to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe proceeded to the further Hearing of the Matters of the ſeveral Petitions complaining of an undue Election and Return for the County of *Lancaſter*.

And the Parties being called in;

The Counſel for the Petitioners examined another Witneſs in ſupport of their Allegations, who laid before the Houſe ſeveral Papers, ſaid to be Liſts taken of the Voters Names by ſome of the Clerks at the *Lancaſter* Election: And having gone through their Evidence;

The Counſel for the Sheriff and Inſpectors was heard, who moved, that the ſaid Inſpectors might be firſt examined concerning the general Conduct of the ſaid Election,

which

which they had a Number of Witneſſes to prove had been carried on fairly and impartially: But the Counſel for the Petitioners oppoſing it as irregular, that the Inſpectors, who were all involved in the Accuſation, ſhould be allowed on their own Qualifications to exculpate themſelves, and praying that the Houſe would not admit them ſo to do, but examine their Witneſſes only. 1749. 9th Mo. 23.

The Parties were ordered to withdraw.

And after ſome Time ſpent in Debate thereupon, the further Conſideration thereof was adjourned till To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe reſumed the Conſideration of the Affair of the *Lancaſter* Election, and it was agreed that the Sheriff and Inſpectors ſhould be qualified, and heard in their own Juſtification; and that they ſhall produce and lay before the Houſe their Liſts of Voters, Tallies, &c. 9th Mo. 24.

Then the Parties were called in;

And the Council for the Sheriff and Inſpectors produced the Liſts and Papers of two of the ſaid Inſpectors, which were ſaid to be all that could at preſent be procured; and then proceeded to examine Witneſſes, on their ſeveral Affirmations, to prove, that the Election had been carried on as fairly, quietly and regularly, as had been known there for many Years; that the Tickets ſaid to be given in by Proxy were only of two Perſons, who ſtood within Sight and Hearing of the Inſpectors, and owned their Tickets, though by Reaſon of the Preſs they could not come near enough to deliver them with their own Hands; that Votes offered by Perſons under Age, and others, who had no Right to vote, or had voted before, though received by the Inſpectors to get rid of their Importunity, were not put into the Box, but torn and deſtroyed; that the Perſon ſaid to have acted as an Inſpector, though not legally choſen, only received a few Tickets, was pulled off the Table as ſoon as he was perceived receiving them by the Inſpectors, and the Tickets he had taken were deſtroyed; that the particular Charge againſt the Candidate returned could not, from ſeveral Circumſtances, be true; and that the Number of Voters could not be ſo ſmall as repreſented, but muſt have been equal to the Tickets found in the Box.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Lancaſter* Return be adjourned to the Afternoon.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem.*

John Woolſton requeſted Leave to be abſent a few Days on urgent Affairs, which was granted.

It being moved, that the Collector of Exciſe for the County of *Bucks* is dead;

Reſolved, That *John Hall* be appointed Collector of Exciſe for the ſaid County in his ſtead.

A Meſſage from the Governor, by the Secretary, *viz.*

Mr. Speaker,

The Governor recommends it to the Aſſembly, to order the Payment of whatever ſhall appear to be due to the Government of the Maſſachuſetts, *on the Eſtimates made in the Papers herewith delivered.*

And the Secretary having laid before the Houſe a Letter and ſundry Papers received from the Lieutenant Governor of the *Maſſachuſetts-Bay*, withdrew.

And they were read, and follow in theſe Words, *viz.*

To the Honourable JAMES HAMILTON, *Eſq; Governor of the Province of* Pennſylvania, *&c.*

SIR,

I AM informed that his Excellency Governor *Shirley* had ſettled an Agreement with the Governor of *Canada* (ſo far as related to this Government) that the Charge of tranſporting *Engliſh* Priſoners ſhould be defrayed by the *Engliſh* Governments, and the Charge of tranſporting *French* Priſoners by their Government; and that upon his Excellency's informing the Governors of the ſeveral Colonies, the moſt of them had ſignified their Approbation of this Method. I am likewiſe informed, that in the Year 1746, there were brought into this Province in a Flag of Truce, ſent by the Governor of *Canada*, called the *La Vierge de Grace*, a great Number of *Engliſh* Captives, ſome of them being *Europeans*, but the moſt of them belonging to the *Engliſh* Provinces and Colonies in *America*; and that about the ſame Time his Excellency had ſent a Flag of Truce to *Canada* with *French* Priſoners at the Expence of this Government; and that his Excellency ſent circular Letters to the Governors of the *Engliſh* Colonies aforementioned, with Liſts of the ſeveral Priſoners belonging to their reſpective Governments; wherein he informed them, that as ſoon as the Accounts of the Charges of the Flags of Truce, and the Proportions of the ſeveral *Engliſh* Governments thereto were adjuſted, he would ſend them to the ſaid Governors, that ſo they might reimburſe the Governor of *Canada* what A Letter from the Lieutenant Governor of the *Maſſachuſetts-Bay*.

1749. 9th Mo. 24. what Charges he had been at for tranſporting the *Engliſh* Priſoners belonging to their Government. Soon after this the Court-houſe in *Boſton* was burnt, and therein all the Papers relating to the fitting out the *French* Flag of Truce, which made it neceſſary that thoſe Accounts ſhould be had from *Canada*, in order to ſtate the particular Part each of the *Engliſh* Governments ought to bear to the Charge of tranſporting their Priſoners; and I find the ſaid Accounts were ſent here a little before Governor *Shirley's* Departure, and an Account has been ſtated between the ſaid Governor *Shirley* and the Governor of *Canada*, and ſent to *Quebec* by a Perſon gone there for the Redemption of Captives; and the Governor of *Canada* has been aſſured that all poſſible Care ſhould be taken for recovering from each Government their Proportion of the Charge. I ſhall now ſend your Honour a Copy of the Account, by which you will perceive the Number of Perſons belonging to your Government is ſix, and the Proportion of the Charge, £174 8 5, which I muſt pray your Honour would cauſe to be paid into my Hands as ſoon as may be, and the ſame ſhall be remitted to the Governor of *Canada*; and I doubt not your more ready Compliance, when you conſider, as appears by the Account, that this Province will be obliged to pay in Proportion beyond any other Government, as the greateſt Part of the Charge of the *Europeans*, and other uncertain Perſons, both in this Veſſel, and another ſent to *Louiſbourg*, will fall on them. I am,

S I R,

Your Honour's moſt humble,
and moſt obedient Servant,
S. P H I P S."

The Charge of the Ship *La Vierge de Grace* amounted, as appears by the Contract, to 10,000 Livres, each Livre being valued at Ten Shillings of the Currency of *New-England*, makes the Sum of £ 5000.

The Proportion of each Concern or Intereſt in ſaid £ 5000 is as follows.

59	*Maſſachuſetts-Bay*,	£ 2180	4	8
16	The ſame taken at *Nova Scotia*,			
75				
29	*New-York*,	843	0	5
6	*New-Hampſhire*,	174	8	5
6	*Pennſylvania*,	174	8	5
6	*Rhode-Iſland*,	174	8	5
2	*Connecticutt*,	58	2	9
2	*New-Jerſey*,	58	2	9
1	*Bermuda*,	29	1	5
1	*Annopolis Royal*,	29	1	5
1	*Shirley Galley*,	29	1	5
9	*Maryland*,	319	15	4
17	*Europeans*,	494	2	8
11	Taken in *Nova Scotia*,	261	12	6
6	Uncertain,	174	8	5
172		5000	0	0

Boſton, New-England, September 12, 1749. *Per* J. Wheelwright, Commiſſary General.

A Liſt of Priſoners which arrived at *Boſton* from *Quebec*, in the Ship *La Vierge de Grace*, belonging to the Province of *Pennſylvania*.

Suſan Philips, *William Davis*, *Joſeph Bryant*,
John Windridge, *John Steward*, *Philip Martin*.

And the ſaid Meſſage and Papers were referred to further Conſideration.

The Houſe proceeded to the further Hearing of the Merits of the Return of Repreſentatives for *Lancaſter* County.

And the Parties being called in;

The Counſel for the Sheriff and Inſpectors proceeded in their Evidence, and examined ſeveral Witneſſes in ſupport of the Return.

Then the Parties were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the *Lancaſter* Election and Return be adjourned till the Morning.

Adjournment 9th Mo. 25. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Houſe proceeded to the further Hearing of the Merits of the *Lancaſter* Return.

Then the Parties being called in;

The Sheriff and Inſpectors ſeverally, on their reſpective Affirmations, gave an Account of their Conduct in the late Election; and having laid before the Houſe a Liſt of farther Witneſſes that might be produced in their Juſtification, if Time were allowed for that Purpoſe;

The Parties were ordered to withdraw.

Ordered,

Ordered, That the farther Consideration of the Affair of the *Lancaster* Election be referred to the Afternoon. 1749.

Then the House adjourned to Three o'Clock, *P. M.* 9*th Mo.* 25. Adjournment *Post Meridiem*

A Petition from *James Whitehead*, Keeper of the Workhouse in the City of *Philadelphia*, was presented to the House and read, setting forth, that the Allowance appointed for the Support of the Lunatics under his Care is not sufficient, all Provisions being enhanced in Price; that he has applied to the Commissioners, who refuse to redress the Grievance, as there is no Law to warrant their so doing; that the Petitioner hoping to be reimbursed, did advance *Nine Pounds* the last Winter, to fix a Stove, and provide Wood to prevent those poor Wretches perishing in the Extremity of the Season; that he has represented their Case to the Magistrates, who refer him to this honourable House: The Petitioner therefore prays, that the House would take the Premises into Consideration, and direct such Measures for Relief of those miserable Creatures hereafter, and for the Reimbursement of the Petitioner's past Expences in their Behalf, as shall seem meet. *Ordered to lie on the Table.*

Ordered, That the new Collector of Excise for the County of *Bucks* do collect the Arrears of the Excise outstanding at the Death of the late Collector.

Then the House proceeded to consider the Affair of the *Lancaster* Election.

And the Members returned for the said County being withdrawn,

Resolved, That they be absent during the Debate on the Validity of their Election.

Then the Members were called in, and acquainted with the Resolution of the House; but that, if any of them have any Thing to offer in regard to the Validity of the Election, they now have Liberty so to do.

And the Members having offered what they thought fit concerning it, withdrew.

Ordered, That Candles be brought in.

And they were brought in accordingly.

And after long Debate, the Question was put, that the House proceed at this Time to determine on the Election now controverted? *Past in the Negative.*

The House taking into Consideration the Message from the Governor, and the Papers accompanying the same,

Ordered, That *Edward Warner* and *James Morris* wait upon the Governor, and acquaint him, that the House remembers no Instance wherein the late Governor entered into any public Engagement, without first communicating it to the House; that they remember no Proposition of that Sort made to them; that before they come to any Result in the Matter, they are inclinable to search their Minutes on this Account, and therefore postpone the farther Consideration thereof to their next Sitting: And that the House propose now to adjourn to the first of the Eleventh Month next.

Resolved, That the Petitioners for a new County in the *North Valley*, on the West-side of *Sasquehannah*, have Leave to bring in a Bill at the next Sitting, pursuant to the Prayer of their Petition.

Ordered, That the further Hearing of the Merits of the late *Lancaster* Election be postponed to the next Sitting: That the Sheriff and Inspectors of that Election, with their Clerks, do then accordingly attend the House; and that the Clerks do then produce such of their Papers or Lists of Voters as are now wanting; that the Clerk of this House do serve the Sheriff with a Copy of this Order, who is to serve Copies of the same on the Inspectors and their Clerks: And if the Speaker is applied to for any Warrants or Orders to bring any Evidence or Witness relating to this Affair, he is hereby authorized to issue the same. And further, that if the Petitioners have any Thing farther to offer to the House in support of their Petition, they do attend at the same Time.

Ordered, That the Sum of *Two Hundred Pounds* Sterling be remitted to the Agent by the Committee of Correspondence, to remain in his Hands for defraying Expences arising on his Negociations in Behalf of this Province at the Court of *Great-Britain*.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

Then the House adjourned to the first Day of the next Eleventh Month. Adjournment

THE House met pursuant to their Adjournment. 11*th Mo.* 1.

Ordered, That *Edward Warner* and *Thomas Leech* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Arthur Patterson, returned a Representative for *Lancaster* County, appeared in the House, and having taken and subscribed the Qualifications by Law appointed, took his Seat in the House accordingly. 11*th Mo.* 2.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was

1749. 11th Mo. 2. pleaſed to ſay, he had nothing at preſent to lay before the Houſe; but if any Thing proper for their Conſideration ſhould occur to him during their Sitting, he would communicate it by Meſſage.

A Petition from a Number of the Inhabitants of the County of *Bucks* was preſented to the Houſe and read, ſetting forth, that the Method of obtaining Satisfaction for ſmall Treſpaſſes and Damages, being attended with the ſame Coſts and Difficulty, as in Proſecuting the greateſt Treſpaſs or Damage whatſoever; the injured Party generally rather chuſes to ſuffer, than to proſecute ſo much to his own Coſt, and the Coſt of the Offender; and therefore praying, that ſome Method may be provided for the more eaſy obtaining Satisfaction of ſmall Treſpaſſes and Damages, as to the Wiſdom of the Houſe ſhall ſeem meet. *Ordered to lie on the Table.*

A Petition from divers Freeholders and other Inhabitants of the County of *Bucks*, ſetting forth, that the Act for the Deſtruction of grey Squirrels hath nearly anſwered the good End thereby intended, very few Squirrels now appearing in the Province; that if the ſaid Act ſhould be now repealed, the Expence which the Province has lately been at for deſtroying them, would in a great Meaſure be loſt, ſince they might in a few Years encreaſe again to prodigious Numbers, as they did from a low Beginning, in the Spring after the hard Winter in 1740, and therefore praying that the ſaid Act may not be repealed, but continued as long as there are any Squirrels to deſtroy; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Houſe being informed that the Sheriff and Inſpectors of *Lancaſter* County were attending with their Witneſſes, according to the Order of the Houſe,

Reſolved, That the Houſe will this Afternoon proceed to the Hearing of the Merits of the *Lancaſter* Election and Return.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe proceeded to the further Hearing of the Merits of the *Lancaſter* Return;

And the Sheriff and Inſpectors being called in, they produced ſeveral Witneſſes, who were examined on their Affirmations in ſupport of the Election, and Juſtification of their Conduct therein.

Then they were ordered to withdraw.

Ordered, That the further Hearing of the Merits of the ſaid Election and Return be adjourned till To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 3. A Petition from a Number of the Inhabitants of *Lancaſter* and *Cheſter* Counties was preſented to the Houſe and read, ſetting forth, that the Practice of entailing Eſtates in this Province hath been found very prejudicial to many, without producing any valuable Advantage to the Public; that ſome in Poſſeſſion of entailed Eſtates falling into Decay by the Hand of Providence, are reduced to great Streights, being caſt into Priſon for their Debts, and not being able to ſell any Part of their Lands to pay thoſe Debts, the Creditors loſe their Money, and the Debtors Children enjoy the Eſtate, without paying any Part of their Parents Debts; that others being prevailed on to be bound for ſuch Debtors, imagining the Lands in their Poſſeſſion were entirely their own, have after the Death of thoſe Debtors been obliged to ſell their own Lands to pay ſuch Debts, to the Ruin of their own Children; while the Debtors Children, as before, come into full and free Poſſeſſion, without being accountable to their Parents Sureties; and therefore praying that the Houſe would take the Premiſes into Conſideration, and prepare ſuch a Law for breaking thoſe Entails, as to their Wiſdom ſhall ſeem meet.

Ordered to lie on the Table.

The Houſe proceeded in the further Hearing of the Merits of the *Lancaſter* Election;

And the Sheriff and Inſpectors being called in, produced ſeveral other Witneſſes, in ſupport of the ſaid Election, and Juſtification of themſelves, and of the returned Member, who had been charged with encouraging Perſons to give a Plurality of Votes in his Favour; and the Inſpectors laid before the Houſe the Liſts and Papers of their ſeveral Clerks, and alſo a Liſt of the Taxables in *Lancaſter* County, amounting to 4598.

Then they were ordered to withdraw.

Ordered, That the further Conſideration of the Affair of the ſaid Election be referred to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. Another Petition from ſundry Inhabitants of *Lancaſter* and *Cheſter* Counties, ſetting forth the many Inconveniencies attending the Practice of entailing Eſtates in this Province, and praying that a Law may be provided to make them void; was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

Ordered, That the abſent Members have Notice to attend the Houſe in the Morning, to proceed in the Affair of the *Lancaſter* Election; and that the Parties have alſo Notice to attend the Judgment of the Houſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 4. The ſeveral Petitions complaining of an undue Election and Return for the County of

of *Lancaſter*, were again read, and the Minutes taken of the Evidences produced by both Parties, were alſo read and conſidered, and the farther Conſideration thereof referred to the Afternoon. 1749. 11th Mo. 4.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe proceeded to the further Hearing the Merits of the *Lancaſter* Election. *Poſt Meridiem*

The Repreſentative of *Lancaſter* County, who had been charged with encouraging a Plurality of Votes from the ſame Perſon in his Favour, purged himſelf of that Charge on his Affirmation, and by producing ſeveral Witneſſes in his Juſtification, who were heard and examined.

And then the Parties were ordered to withdraw.

Ordered, That the farther Conſideration of the Affair of the *Lancaſter* Election be adjourned till the Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe reſumed the Conſideration of the Affair of the *Lancaſter* Election. 11th Mo. 5.

And the Sitting Members for that County being withdrawn,

The Houſe debated on the Evidence that had been produced to them; and after ſome Time,

The Queſtion was put, that the Speaker ſend his Warrant to the Secretary, to iſſue a Writ to the Sheriff of *Lancaſter*, directing a new Election of Repreſentatives for that County? *Paſt in the Negative.*

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

The Sheriff and Inſpectors of *Lancaſter* County attending, were called in, and admoniſhed by the Speaker in the Words following, *viz.* 11th Mo. 6.

The Speaker's Admonition to the Sheriff and Inſpectors of Lancaſter County.

I HAVE the Orders of the Houſe, to acquaint you, that they have taken into Conſideration the ſeveral Petitions of the Freeholders of the County of *Lancaſter*, complaining of an undue Election. They have alſo taken into Conſideration, the Proofs and Allegations, as well in ſupport of the Facts ſet forth in the ſaid Petitions, as thoſe which have been offered in ſupport of the ſaid Election; and, upon the Whole, they think the Proofs advanced in ſupport of the ſaid Petitions are not ſufficient to ſupport the Facts charged, or to vacate that Election; and therefore they have ordered the Members returned to take their Seats in the Houſe: It nevertheleſs has appeared to the Houſe, from the Examinations which have been taken in this Caſe, that the Method obſerved in the Management of the Elections in *Lancaſter* County, hath not, in divers Particulars, been ſo regular and orderly as the Laws of the Province direct; and which, if duly obſerved, would in great Meaſure remove all future Occaſions of Complaint.

Firſt then, I am to acquaint you, that the *Act for raiſing County Rates and Levies* directs that all Perſons who have a Right to vote in Elections, ſhall deliver in Writing to the Judges of thoſe Elections reſpectively, in one Piece of Paper, the Names of eight Perſons for whom they vote to ſerve in Aſſembly; in one other Paper, the Names of two Perſons for Sheriffs, and two for Coroners; and in another, the Name of one Perſon for Commiſſioner, and ſix to be Aſſeſſors for the ſaid County; and that the Act of Aſſembly, by which *Lancaſter* was erected into a County, directs, that the four Aſſembly Men, Sheriff, Coroner, Commiſſioner and Aſſeſſors, to be choſen by the Freemen of that County, ſhall be made and elected in the ſame Manner as by the Charter of Privileges and Laws of this Province is directed to be done in the other Counties of this Province; which Method ſo preſcribed, the Houſe are of Opinion, ſhould be ſtrictly obſerved, for preventing the Inconveniences which may enſue: And that the Names of the Perſons ſo voted for, be not written in one Piece of Paper, but in ſeveral, and put into ſeparate Boxes, as the Law directs.

Secondly, The Houſe are of Opinion, that the Inſpectors ſhould be particularly careful in the Choice of their Clerks; and, if poſſible, to make Choice of ſuch, as either by exceſſive Drinking, or other Cauſe, do not diſable themſelves from the Service they undertake.

Thirdly, That the Sheriffs be careful to call for the Liſts of Voters, and Tallies taken by the Clerks, when the Election is ended, and to preſerve them ſafely, ſo that they may be laid before the Houſe, if Occaſion ſhall require.

Fourthly, That the Inſpectors ought not, as heretofore, to act ſeparately, but that two or more of them take the Votes, in the Preſence, and with the Concurrence, of the reſt; by which Means the Truſt will be performed jointly, and agreeable to the Intent of the Law.

Fifthly, That all due Care be taken to prevent any Tumults or Diſorders at the Time of Elections by placing Conſtables at or near the Doors, to preſerve the Peace, and to prevent more from offering their Tickets at the ſame Time, than can be conveniently received by the Inſpectors.

Sixthly, That the Sheriffs and others concerned in the Management of Elections, ought

1749. 11*th Mo.* 6. ought to take the utmoſt Care to prevent Frauds and Abuſes, either in ſuffering any Perſon, who has no Right by Law to vote, or by denying ſuch as have the Right to vote, or in allowing any to give in a greater Number of Tickets than by Law they are entitled unto.

Theſe ſeveral Particulars I have mentioned to you, are recommended to you by Order of the Houſe; and they expect, that as it is a Duty which the Law enjoins, you, and every other in like Stations, will conform themſelves accordingly, and by this Means prevent, as much as poſſible, future Complaints of undue Elections.

Then the Sheriff and Inſpectors withdrew.

A Petition from the Sheriff and Inſpectors of *Lancaſter* County was preſented to the Houſe and read, ſetting forth the great Charge and Trouble the Controverting of the late Election hath occaſioned to them, and praying the Aſſiſtance of the Houſe in obtaining Satisfaction for the ſame. *Ordered to lie on the Table.*

Adjournment 11*th Mo.* 8. Then the Houſe adjourned to the next *Second-day* at Three o'Clock in the Afternoon.

The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 9. A Petition from a Number of the Inhabitants of *Bucks* County was preſented to the Houſe and read, ſetting forth, that the greateſt Part of the Deer killed in the Month of *December* are poor, and their Skins thin, and of little Value; yet Numbers are killed in that Month when the Snows fall: That the Fines for killing Deer out of Seaſon are too ſmall, and the Time limited for Proſecution of that Offence too ſhort, whereby many Offenders eſcape with Impunity: And praying that the Houſe would take the Premiſes into Conſideration, and provide ſuch Remedy as ſhall ſeem meet.

Ordered to lie on the Table.

A Petition of the ſame Import from a Number of Inhabitants of *Cheſter* County was alſo preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from divers Freeholders and Inhabitants of the County of *Cheſter*, ſetting forth, that the Act to encourage the Deſtroying of grey Squirrels hath in a great Meaſure anſwered the good Ends and Purpoſes thereby intended; that thoſe miſchievous Animals are now reduced to a very ſmall Number, and a ſmall yearly Charge will be ſufficient to keep them from encreaſing again; and ſince the heavieſt Part of the Expence is now over, the Petitioners hope that an Act from which the Country hath already received ſuch conſiderable Benefit in the Preſervation of their Corn, will not be repealed; and pray that it may be continued in Force; was preſented to the Houſe and read, and

Ordered to lie on the Table.

A Bill for erecting Part of the Province of *Pennſylvania*, Weſtward of *Saſquehannah*, and Northward and Weſtward of the County of *York*, into a County; was read the firſt time, and ordered a ſecond Reading.

The Petitions from *Lancaſter* and *Cheſter* Counties for an Act to bar Entails were read a ſecond time, and referred to further Conſideration.

The Petition from *Bucks* County relating to ſmall Treſpaſſes was read a ſecond time, and referred to farther Conſideration.

The Petition relating to the Importation of *Palatines*, &c. was read a ſecond time, and referred to further Conſideration.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

An Account from *John Biddle* of *Three Pounds* due to him for paſturing *Indians* Horſes at the late Treaty, was laid before the Houſe, conſidered, and allowed.

The Repreſentation of *David Stephens*, relating to the killing of Deer out of Seaſon, was again read;

Ordered, That *Thomas Chandler*, *Hugh Evans*, *Mahlon Kirkbride*, *Calvin Cooper* and *John Armſtrong* be a Committee to prepare and bring in a Bill for amending the Laws relating to the killing of Deer.

Ordered, upon Motion, That *James Morris*, *Joſeph Trotter*, *Edward Warner*, *George Aſhbridge* and *Peter Worral* be a Committee to prepare and bring in a Bill for continuing the Act for the more eaſy Recovery of Legacies within this Province.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 10. The Petition relating to Treſpaſſes was again read, and referred to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem *Ordered*, That *Hugh Evans*, *Thomas Leech*, *John Hall*, *Thomas Cummings*, *Peter Worral* and *John Armſtrong* be a Committee to prepare and bring in a Bill for regulating the Probate of Wills in this Province.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 11. A Petition from the Mayor and Commonalty of the City of *Philadelphia*, ſetting forth, that, purſuant to Leave granted by the then Aſſembly, the Petitioners did, in *Auguſt* 1743, lay before the Houſe a Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for raiſing Money on the Inhabitants of the ſaid City for defraying the Expences thereof; which Bill was referred to the Conſideration of the

next

next Assembly, but nothing has since been done therein; that the Application to the Assembly at that Time arose from a Presentation of the Grand Jury of the City of *Philadelphia*, who have lately again presented the Inconveniencies arising from the Want of a regular Watch in the said City; that as the Subject of Complaint in those Presentments is well known to the Petitioners to be real, and what they have frequently endeavoured to remedy without Success; and as they conceive the having a strong and sufficient Watch maintained in the said City, is of the greatest Importance to the Security and Welfare of its Inhabitants; the Petitioners in their Behalf therefore think it their Duty again to apply to this House in the said Affair; and do earnestly request that the Consideration thereof may be resumed, and such effectual Provision made therein, as to the Wisdom of the House shall seem meet; was presented to the House and read, and

1749. 11th Mo. 11.

Ordered to lie on the Table.

A Petition of sundry Inhabitants of the County of *Philadelphia*, setting forth, that the Number of public Houses of Entertainment, hath been excessively augmented within these few Years, far beyond any Necessity or Use that may be pretended in their Favour; that many of those who now keep such Houses, are neither of sober Conversation, nor of Ability to entertain Travellers, nor do they observe good Orders in their Houses, as by Law they ought to do; that, on the contrary, most of those Houses are Nurseries of Vice and Immorality, such as promote Drinking, Gaming, Idleness and many gross Evils, enticing Youth and others to the lavish Spending of their Money, wasting their Time in Tippling and corrupt Company, and by this Means neglecting their proper Business, impoverishing themselves and Families, and endangering the Loss and Ruin of their Souls, Bodies and Estates; and praying, that the House would take the Premises into Consideration, and take such Measures for remedying so great an Evil, as to their Wisdom shall seem meet; was presented to the House and read, and

Ordered to lie on the Table.

A Bill for regulating the Probate of Wills within this Province, was read the first time, and ordered a second Reading.

A Bill for the Continuance of an Act of Assembly of this Province, entituled, *An Act for the more easy Recovery of Legacies within this Province*; was read the first time, and ordered a second Reading.

A Bill for amending the Laws of this Province against killing Deer out of Season; was read the first time, and ordered a second Reading.

Ordered, That *James Wright* and *John Wright*, Members for *Lancaster* and *York* Counties, have Notice to attend the Service of the House, and that they do attend accordingly.

Peter Worral and *Calvin Cooper* have Leave to be absent some Days on urgent Occasions.

Ordered, That Notice be given to *Isaac Norris* to attend the Service of the House, and that he do attend accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

A Petition from *Joseph King*, of the City of *Philadelphia*, setting forth, that by the Act for preventing the Exportation of Bread and Flour not merchantable, he was appointed the Officer to put the said Act in Execution, and, as it was his Duty, has, to the best of his Judgment, hitherto faithfully discharged that Trust; that as the Term limited by the Act for his Continuance in that Office without a new Appointment, is near expired, he prays to be re-appointed the Officer for the City and County of *Philadelphia*; was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehannah*, and Northward and Westward of the County of *York*, into a County, was read a second time, and debated; and ordered to be transcribed for a third Reading.

A Petition from *Isaac Griffitts*, of *Philadelphia*, Merchant, praying, that if the present Officer for Inspecting and Branding of Flour, be changed, the Petitioner may be appointed in his Room; was presented to the House and read, and

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment 11th Mo. 12.

The Petition from the Mayor and Commonalty of the City of *Philadelphia*, relating to the Watch in the said City, was again read.

Ordered, That *Isaac Norris*, *Thomas Leech*, *Israel Pemberton*, *James Morris*, *Edward Warner* and *Joseph Trotter* be a Committee to prepare and bring in a Bill for the Purposes in the said Petition mentioned.

A Petition from *Samuel Morris*, of the City of *Philadelphia*, praying, that if the Flour Act be renewed, he may be appointed the Officer to execute the same; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Robert Sewell*, praying to be appointed the Officer for executing the Flour Act in the City and County of *Philadelphia*, was presented to the House and read, and

Ordered to lie on the Table.

1749. 11th Mo. 12. The Houſe took into Conſideration the Petitions relating to entailed Eſtates, and after ſome Time ſpent in Debate thereon,

Ordered, That *Iſaac Norris*, *Thomas Leech*, *Mahlon Kirkbride*, *Thomas Cummings*, *Arthur Patterſon* and *John Armſtrong* be a Committee to prepare and bring in a Bill for barring Eſtates Tail.

The Petition from *Lancaſter* County relating to the erecting a Workhouſe, recommended by the laſt Aſſembly to the Conſideration of this Aſſembly, was read, and *Ordered to lie on the Table.*

Ordered, That *Iſaac Norris*, *Thomas Leech*, *John Hall*, *George Aſhbridge*, *Arthur Patterſon* and *John Armſtrong* be a Committee to inſpect the Flour Act, and report thereon to the Houſe.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Petitions relating to the Ferries over *Schuylkill*, referred to this Aſſembly by the laſt, were read, and referred to further Conſideration.

The Bill for amending the Laws of this Province againſt killing of Deer out of Seaſon, was read a ſecond time, and ordered to be tranſcribed for a third Reading.

Adjournment 11th Mo. 13. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Bill for barring Eſtates Tail, was read a firſt time, and ordered a ſecond Reading.

The Bill for erecting Part of the Province of *Pennſylvania*, Weſtward of *Saſquehannah*, and Northward and Weſtward of the County of *York*, into a County, being tranſcribed, was read a third time.

Reſolved, That the Bill do paſs.

Ordered, That *James Morris* and *Joſeph Trotter* carry up the ſame to the Governor, and deſire his Concurrence.

Adjournment 11th Mo. 15. Then the Houſe adjourned to the next *Second-day*, at Three o'Clock in the Afternoon.

The Houſe met purſuant to their Adjournment.

The Gentlemen appointed to wait on the Governor with the Bill for a new County, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would give it all the Diſpatch he could.

A Petition from a Number of the Inhabitants of *Cheſter* County, praying that the Act againſt killing Deer out of Seaſon may be amended; and the Fine on Offenders againſt it, made higher; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Adjournment 11th Mo. 16. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Petition from a Number of Inhabitants of the City and County of *Philadelphia*, ſetting forth the many Inconveniencies ariſing from the late great Increaſe of Public Houſes, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from the Inhabitants of the *North Valley*, on the Weſt-ſide of *Saſquehannah*, by their Agent *Benjamin Chambers*, ſetting forth, that the Bounty given for Squirrels Scalps, hath taken off all the Jobbers and hired Men from Labour, to the great Damage and Diſappointment of the Farmers, who live at ſuch a Diſtance from *Philadelphia*, that they ſeldom hear of the Arrival of Servants till they are diſpoſed of; that the Burden of the Expence for killing Squirrels far exceeds that of the Damage done by them, and therefore praying the ſaid Act may be repealed; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Petition relating to the Importation of *Germans*, &c. was again read.

Ordered, That *Iſaac Norris*, *Iſrael Pemberton*, *Oſwald Peele*, *James Morris*, *Thomas Leech* and *Edward Warner* be a Committee to prepare and bring in a Bill for the Purpoſes in the ſaid Petition mentioned.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Bill for amending the Laws of this Province againſt killing Deer out of Seaſon, being tranſcribed, was read a third time.

Reſolved, That the Bill do paſs.

Ordered, That *John Hall* and *Thomas Cummings* carry up the ſame to the Governor, and deſire his Concurrence.

The Houſe reſumed the Conſideration of the ſeveral Petitions relating to the Squirrel Act.

And the Queſtion being put, that the ſaid Act be repealed; it *Paſt in the Negative.*

Reſolved, That a Bill be brought in to amend the ſaid Act.

Ordered, That *Thomas Leech*, *Edward Warner*, *John Hall*, *Peter Worral* and *John Armſtrong* be a Committee to prepare a Bill for that Purpoſe.

Adjournment 11th Mo. 17. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill relating to the killing of Deer, report, that they delivered the ſame according to Order.

A Petition of *Silas Prior* was preſented to the Houſe and read, ſetting forth, that the Term for which *Joſeph King* was appointed the Officer to view and examine Flour, &c. is near expiring; that the Petitioner is well acquainted with that Commodity, and eſteemed

esteemed a capable Judge of what is merchantable; and therefore praying to be appointed the Officer for the City and County of *Philadelphia*. 1749. 11th Mo. 17.

Ordered to lie on the Table.

A Petition from *Richard Sewell*, Sheriff of the City and County of *Philadelphia*, setting forth, that during the Term the Petitioner hath executed the Office of Sheriff, he hath been at very great Expences in attending the Prosecution and Punishment of capital Offenders, tried in the Courts of *Oyer* and *Terminer*; and particularly the Punishment of such Offenders hath been attended with considerable Charges to the Petitioner, though he has been as frugal as possible, expecting the Public would reimburse him; that the Fee of *Twenty Shillings* allowed to the Sheriff by Law in every capital Cause, is seldom or never paid, the Parties being unable; that the Petitioner has exhibited his Account of Charges and Disbursements in the Cases aforesaid, to the Commissioners of the County, who have refused Payment thereof, the Law not being express by whom they are to be paid; that the Petitioner is under the same Misfortune in the inferior Courts; the Offenders being generally poor, their Fines are remitted, and they ordered out of the Province, the Petitioner having been at the sole Charge of the corporal Punishment inflicted on them. That the Petitioner humbly conceives it was not, nor is, the Intent of the Legislature, that all these heavy Charges should lie on the Sheriff only, but that, in Case of Disability, he ought to be paid by the County; and therefore prays the House would consider his Case, and grant such Relief, either by Amendment of the Law, or otherwise, as to them shall seem just and reasonable; was presented to the House and read, together with an Account annexed, and

Ordered to lie on the Table.

The Bill for the Continuance of an Act of Assembly of this Province, *for the more easy Recovery of Legacies within this Province*, was read a second time, and ordered to be transcribed for a third Reading.

The Bill for barring Estates Tail, was read a second time, and ordered to be transcribed for a third Reading.

The Petitions complaining of the great Increase and disorderly Keeping of Public Houses were again read, and considered.

Ordered, That the Secretary lay before the House Lists of the Names of Persons licenced to keep Public Houses, and the Places of their Abode, for the several Years, from 1738 to the present Year.

Ordered, That *Owen Evans*, *Thomas Leech*, *Israel Pemberton*, *John Hall*, *Thomas Cummings*, *Arthur Patterson* and *John Armstrong* be a Committee to inspect the Laws relating to Public Houses, and the Sale of Spirituous Liquors, and report their Opinion what Amendments may be proper to be made therein.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House met, and adjourned to Ten o'Clock To-morrow Morning. *Post Meridiem*

The Governor, by his Secretary, sent down the Bill for erecting a new County, and the Bill relating to the killing of Deer, without any Amendment; and a verbal Message that he was ready to pass the same into Laws, when they shall be presented to him for that Purpose. 11th Mo. 18.

The Committee appointed to inspect the Flour Act, report, that the Supplement not expiring till the End of the next Sitting of Assembly, they are of Opinion, that the farther Consideration of that Act be deferred till that Sitting. To which the House agreed.

The Bill for barring Estates Tail being transcribed, was read a third time.

Resolved, That the Bill do pass.

The Bill for the Continuance of an Act of Assembly of this Province, entituled, *An Act for the more easy Recovery of Legacies within this Province*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Israel Pemberton* and *Hugh Evans* wait upon the Governor with the said Bills, and desire his Concurrence.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor with the Bills, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give them all the Dispatch he could. *Post Meridiem.*

A Bill for amending of the Act, entituled, *An Act to encourage the killing of Squirrels within this Province*, was read the first time, and ordered a second Reading.

The House resumed the Consideration of the Petitions from *Philadelphia* and *Chester* Counties, relating to Ferries; but being informed that there were likely to be several other Petitions on that Affair, the farther Consideration thereof is postponed to the next Sitting.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition from *Lancaster* County, relating to Workhouses, was again read, and referred to further Consideration. 11th Mo. 19.

The

1749. The Bill for amending of the Act, entituled, *An Act to encourage the killing of Squirrels within this Province*, was read the second time, and debated, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

11th Mo. 19.

Adjournment Then the House adjourned to Three o'Clock, *P. M.*

Post Meridiem. The Petition of the Sheriff and Inspectors of *Lancaster* County, was again read, and *Ordered to lie on the Table.*

The Petition of *Richard Sewell*, Sheriff of *Philadelphia* County, was again read, and *Ordered to lie on the Table.*

The Letter from the Governor of the *Massachusetts Bay*, relating to the Expence of Prisoners brought in the Flag of Truce, was again read.

Ordered, That *Isaac Norris*, *James Morris* and *Thomas Leech* inspect the Minutes, and report if they find any Mention of that Affair in the Time of the late Governor.

Adjournment Then the House adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 20. A Petition from a Number of the Inhabitants of the County of *Bucks*, complaining of the great Increase and disorderly Keeping of Public Houses, and also of the disorderly Practices at Vendues, and praying Relief therein, was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for amending of the Act, entituled, *An Act to encourage the killing of Squirrels within this Province*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *Joseph Trotter* carry up the same to the Governor, and desire his Concurrence.

John Armstrong and *Thomas Chandler* have Leave to be absent the Remainder of this Sitting, on urgent Affairs.

Adjournment Then the House adjourned to the next *Second-day*, at Three o'Clock in the Afternoon.

11th Mo. 22. The House met pursuant to their Adjournment.

The Gentlemen appointed to wait on the Governor with the Bills that had passed the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give them all the Dispatch he could.

Adjournment Then the House adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 23. The Governor, by his Secretary, sent down the Bill for barring Estates Tail, with some proposed Amendments; also the Bill for continuing the *Act for the more easy Recovery of Legacies*, with some proposed Amendments; and the Bill for Amending the Squirrel Act; with a verbal Message, that he is willing to pass the two former, if the House agree to the Amendments, and the latter as it stands, when they shall be presented to him for that Purpose.

The Secretary also, in Obedience to the Order of the House, presented such Lists as he has been able to procure of the Public Houses for two of the Counties, and then withdrew.

The proposed Amendments to the Bill for barring Estates Tail, being read, were agreed to by the House; and the Bill ordered to be engrossed with the Amendments.

The proposed Amendments to the Bill for the more easy Recovery of Legacies, were read, and agreed to by the House; and the Bill with the Amendments ordered to be engrossed.

The Bill for regulating the Probate of Wills within this Province, was again read, with some additional Paragraphs, and referred to further Consideration.

The Lists laid before the House by the Secretary, were referred to the Committee appointed to inspect the Laws relating to Public Houses, who are to examine the same, and report thereon to the House.

Adjournment Then the House adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 24. The Committee on the Affair of Public Houses, report, that it appears by the Lists referred to them, that within ten Years past, the Public Houses in *Bucks* County have increased from Eleven to Forty-eight; and in *Chester* County, from Thirty-eight to Fifty-six; and that the other Lists are not yet compleated.

And after a long Debate on the Subject of Public Houses, it was

Resolved, That the said Committee prepare a Draught of an Address to be presented to the Governor, requesting that he would recommend it to the Magistrates to take Care that the Laws relating to Public Houses be put in Execution. And that the same Committee do also prepare a Bill against the next Sitting, for Amendment of those Laws.

Adjournment Then the House adjourned to Three o'Clock, *P. M.*

Post Meridiem. A Bill for Prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel, was read the first time, and ordered a second Reading.

The Bill for Amendment of the Law of this Province relating to the Probate of Wills, was read a second time, and ordered to be transcribed for a third Reading.

A Bill for Regulating the Nightly Watch in the City of *Philadelphia*, and for raising Money

Money on the Inhabitants of the said City for defraying the necessary Expences thereof; was read the first Time, and ordered a second Reading. 1749.

Then the House adjourned to Ten o'Clock To-morrow Morning. 11th Mo. 24. Adjournment

The House met, and adjourned to Three o'Clock in the Afternoon. 11th Mo. 25.

The Bill for amending the Law relating to the Probate of Wills, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *James Morris* carry up the same to the Governor, and desire his Concurrence. And that they farther acquaint the Governor, that the House have agreed to the Amendments proposed by him to the Bills returned to the House: And that in Pursuance of the Expectations given him at the last Sitting, they have resumed the Consideration of the Demand from the Government of the *Massachusetts Bay*, relating to the Expence of bringing Home the *English* Prisoners; and though they find no Mention in their Minutes of any Engagement entered into by the late Governor to that Purpose; yet they are willing to pay the Proportion demanded, according to the Value of *Livres*.

The Bill for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel, was read a second time, and debated, and the farther Consideration thereof referred to the Morning.

The Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for raising Money on the Inhabitants of the said City for defraying the necessary Expences thereof, was read a second time, and debated, and the farther Consideration thereof adjourned till To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Bills, and the Message of Yesterday, report, that they had delivered the same according to Order. 11th Mo. 26.

The Committee appointed to prepare a Draught of an Address to the Governor on the Subject of Public Houses, reported the same to the House, which was read, and considered, and ordered to be transcribed, that it may be presented to the Governor.

The House resumed the Consideration of the Bill for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel; and after some Debate thereupon, it was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Bill for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *James Morris* carry up the same to the Governor, and desire his Concurrence; and withal acquaint him, that the House is inclined to adjourn on the Morrow, to the Sixth Day of the next Sixth Month, if he hath no Objection thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed Yesterday to wait on the Governor with the Bill and Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Adjournment. 11th Mo. 27.

The House being informed by the Committee of Accounts, that several of the Excise Officers are considerably in Arrear.

Ordered, That the Treasurer be directed to call on the several Collectors for their respective Arrearages, that he may have Money in his Hands to answer the Public Demands.

The Governor, by his Secretary, sent down the Bill for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel, with some proposed Amendments; and a verbal Message, that though he thinks some other Amendments might have been made; yet the Bill being immediately necessary, he chuses rather to pass it as it is, than to postpone it. But the Bill relating to the Probate of Wills, he will consider of until the next Sitting.

And the Amendments being read, and agreed to by the House, and the Bill ordered to be engrossed with those Amendments;

Ordered, That *Thomas Leech* and *James Morris* wait upon the Governor, and acquaint him, that the House have agreed to the Amendments proposed to the Bill relating to the Importation of *Germans*, &c. and desire that he would appoint some Members of his Council to join a Committee of this House, in comparing the Bills that have had his Concurrence, with the engrossed Copies; and desire farther to know when he will be pleased to receive the House, in order to their presenting those Bills for his Assent, together with an Address which they have prepared.

Ordered, That *Thomas Leech* and *James Morris* be a Committee to join a Committee of Council in comparing the Bills.

1749. 11th Mo. 27. *Ordered*, That the Bill for regulating the Nightly Watch within the City of *Philadelphia* be re-committed to the Committee who brought it in, for Amendment; and when ſo amended, that the ſame be printed for the Peruſal of the Inhabitants of the City.

The Petition and Account of *Richard Sewell*, Sheriff of *Philadelphia* County, is referred to the Committee of Public Accounts, who are to examine the ſame, and report thereon to the Houſe.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with the Meſſage of the Morning, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would receive the Houſe at Four o'Clock this Afternoon in the Council Chamber; and that he would appoint two Members of his Council to meet a Committee of the Houſe at Three, in order to compare the Bills.

Reſolved, That the Sum of *Six Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Eſq; Governor of this Province, in Part of his Support for the current Year.

And an Order was drawn, and ſigned by the Speaker accordingly.

The Addreſs being tranſcribed, was ſigned by the Speaker, by Order of the Houſe, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

An Addreſs from the Aſſembly to the Governor.

WE have, during this Seſſion, received divers Petitions from a conſiderable Number of ſober and diſcreet Perſons, Inhabitants of this City, and ſeveral other Parts of the Province; who, though of different Perſuaſions in Religious Matters, have nevertheleſs united in thoſe Petitions, complaining, that notwithſtanding many prudent Proviſions have been heretofore made by the Laws of this Province, concerning Perſons licenſed to keep Inns and Public Houſes for the Sale of ſtrong Liquors, and the Entertainment of Travellers, and the good Order to be kept in thoſe Houſes; yet, contrary to the Tenor of thoſe Laws, they have, of late Years, very much increaſed: That many of them are neither of ſober Converſation, nor of Ability to entertain Travellers; nor do they keep good Orders in their Houſes, as by Law they ought to do: That on the contrary moſt of them are Nurſeries of Vice and Immorality, ſuch as promote Drinking, Gaming, Idleneſs and many groſs Evils; enticing Youth and others to the laviſh ſpending of their Money, waſting their Time in Tippling and corrupt Company; and by this Means neglecting their proper Buſineſs, impoveriſhing themſelves and their Families, and endangering the Loſs and Ruin of their Souls, Bodies and Eſtates: To prevent which for the future, the Petitioners pray our Interpoſition; and as our own Obſervations, as well as the Teſtimony of others, convinces us of theſe melancholy Truths, we think it a Duty we owe to the Province, to Poſterity, and to ourſelves, to contribute the utmoſt in our Power to diſcourage and prevent theſe growing Evils.

With this View we have inſpected the ſeveral Laws now in Force in relation to Public Houſes, and we there find many prudent Proviſions adapted to the Circumſtances of the Province, and for preventing the Abuſes complained of; and though we think ſome Additions may be made to theſe (which in due Time will come under our Conſideration) yet we are of the Opinion, that were the Laws now in being but duly put in Execution, it would in great Meaſure remove the Cauſe of theſe Complaints.

It is not to be expected the Governor, who is ſo much taken up with the Affairs of the Province, ſhould himſelf be ſo well acquainted with Perſons and Places fitting and neceſſary for keeping of Inns or Public Houſes for the Purpoſes aforeſaid; and therefore our Laws have wiſely provided to free him from the Trouble of ſuch an Enquiry, which otherwiſe might be neceſſary, by obliging the Perſons who intend to keep theſe Houſes, firſt to apply to the Juſtices of the Peace of the City or County in which ſuch Perſons applying reſide, and at the General Quarter Seſſions of the Peace to obtain from the Juſtices their Recommendation to the Governor of the Fitneſs and Ability of ſuch Appliers for the Service, before they are intitled to a Licenſe. Were this important Truſt duly executed, it would render any further Proviſion leſs neceſſary; but it hath ſo happened in divers Places, that either for Want of due Enquiry into the Places where the Perſons applying reſided, their Circumſtances and Abilities, and the Neceſſity of Public Houſes in the Places deſired, or through a miſtaken Pity for the Perſons applying, or ſome other Motive, a much greater Number hath been recommended to the Governor to obtain ſuch Licenſes, than were either fit for the Employment, or of Uſe to the Public.

Hence ariſe the Evils complained of, and here, as we conceive, a proper Remedy may be had; and therefore it is we earneſtly requeſt the Governor, that he will be pleaſed warmly to recommend it to the Conſideration of the Juſtices of the ſeveral Counties within this Province, that they will employ their utmoſt Care and Vigilance to put the Laws, relating to the good Order neceſſary to be obſerved in Public Houſes, and

for

for preventing of Tippling by the Inhabitants therein, in Execution: That for the future, where Applications are made for such Recommendations, they will make diligent Enquiry into the Circumstances of those who apply for them, and grant so many only as shall be necessary, and those to such Persons only as are most fit for the Service. 1749. 11th Mo. 27.

The Increase of Vice and Immorality are bad Symptoms in any Government; and the Consequences it might have in this, we think, too evident to a Gentleman of the Governor's Abilities, to need any Illustration; we therefore persuade ourselves of his hearty Assistance in the Reformation desired, as the best and most effectual Means to render the Inhabitants of this Province more generally better Subjects, better Members of Society, and above all, better Christians.

The Committee appointed to join a Committee of the Council in comparing the Bills, report, that they have done the same, and find them right.

Then the engrossed Bills were signed by the Speaker.

Ordered, That the Trustees of the *Province Island*, do, as soon as conveniently they can, build Pest-houses on that Island to the Value of *One Thousand Pounds*, for the convenient Reception of sick Strangers imported into this Province.

Ordered, That the Superintendants of the State-house, proceed, as soon as conveniently they may, to carry up a Building on the South-side of the said House to contain the Staircase, with a suitable Place thereon for hanging a Bell.

Ordered, That *Thomas Leech* and *James Morris* see the Great Seal affixed to the Laws after they are passed, and the same deposited in the Rolls Office.

Ordered, That the Admonition given from the Chair to the Sheriff and Inspectors of *Lancaster* County be printed in the *Gazette*.

A Message from the Governor by the Secretary, that he is now in the Council Chamber ready to receive the House.

Then the Speaker, with the whole House, waited on the Governor.

And being returned,

The Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented the following Bills, *viz.*

An *ACT* for erecting Part of the Province of *Pennsylvania*, Westward of *Susquehannah*, and Northward and Westward of the County of *York*, into a County.

An *ACT* for prohibiting the Importation of *Germans* or other Passengers in too great Numbers in any one Vessel.

An *ACT* for amending of the Act, entituled, "An Act to encourage the killing of Squirrels within this Province."

An *ACT* for amending the Laws of this Province against killing of Deer out of Season.

An *ACT* for barring Estates Tail.

An *ACT* for the Continuance of an Act of Assembly of this Province, entituled, "An "Act for the more easy Recovery of Legacies within this Province."

To which he had been pleased to give his Assent by enacting the same into Laws: That the Speaker had also presented him the Address of the House, to which the Governor had been pleased to answer, "That it very well became the Assembly, as Re- "presentatives of the People, to endeavour the Reformation of the Abuses complained "of; that it was his own Opinion, too great a Number of Public Houses might have "the Tendency mentioned; and that therefore he would in the warmest Manner re- "commend to all the Magistrates a prudent Use of their Power in this Particular, as "well as in every other." That the Speaker had also presented the Governor with the Order of the House for his Support, which he was pleased to receive kindly.

Then the House adjourned to the Sixth Day of the next Sixth Month. Adjournment

A Quorum of the Representatives met pursuant to the Adjournment of the House. 1750.
And it being moved, that the Speaker of this House, is, since the last Meeting, deceased, ISAAC NORRIS, Esq; was unanimously chosen Speaker in his Stead, and accordingly placed in the Chair. 6th Mo. 6.

Ordered, That *Edward Warner*, *Thomas Leech*, *John Woolston*, *Joseph Gibbons*, *James Wright* and *John Wright* wait upon the Governor, and acquaint him, that a Quorum of the Representatives are met pursuant to the last Adjournment of the House, and have proceeded to the Choice of a Speaker in the Room of *John Kinsey*, Esq; deceased; and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and the Governor was pleased to say, he would receive the House this Morning at Eleven o'Clock, in the Council Chamber. 6th Mo. 7.

A Message from the Governor, by the Secretary, that he requires the Attendance of the House in the Council Chamber immediately.

Then

1750. Then the Speaker with the whole Houſe waited on the Governor.

6th Mo. 7. And being returned, the Speaker reported, that the Houſe had waited on the Governor and preſented their Speaker; that the Governor had been pleaſed to expreſs his Approbation of their Choice; on which the Speaker had ſaid, that as the uſual Privileges of the Houſe had been claimed by the late Speaker at the Beginning of the Year, he had nothing to mention now but what was perſonal, *to wit*, that his own unwilling Miſtakes might be excuſed, and not imputed to the Houſe; to which the Governor was pleaſed to anſwer, it was a Right that ought to be obſerved.

A Petition from *Jeremiah Oſborne*, a languiſhing Priſoner in the Goal of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that he was in the Year 1746 employed as Captain of a Flag of Truce by the Governor of *South Carolina*, to tranſport a Number of *Spaniſh* Priſoners from thence to the *Havanna*; that *Joſeph Wragg* and *William Lambton*, Merchants in *Carolina*, ſhipped a Quantity of Proviſions on board the ſaid Flag of Truce, to be delivered in the *Havanna*; that the Petitioner in his Paſſage to the *Havanna*, was taken by three *Spaniſh* Privateers, who plundered him of great Part of his Cargo, and ſent him into the *Havanna*, where the Petitioner at his own Riſk redeemed the Remainder of the Cargo from the Enemy, and diſpoſed of it to defray his Charges, *&c.* That on his Arrival in this City he was arreſted by Virtue of a Power from ſaid *Wragg* and *Lambton* for *Fifteen Hundred Pounds*; that being a Stranger, and not capable of finding Bail, he was committed to the County Goal, where he remained two Years before he could obtain a Trial, in which the ſaid *Wragg* and *Lambton* recovered *Three Hundred Ninety-ſix Pounds* and *Six-pence*, the Petitioner labouring under great Diſadvantages, as the Tranſaction aroſe in the King of *Spain's* Dominions, from whence it was impoſſible to procure the Evidences that could have ſupported the Petitioner's Action, the Rigour of the Law not permitting the written Evidences which he had procured from thence, to be read, otherwiſe he ſhould have been able to have juſtified himſelf: That the Petitioner likewiſe ſtands committed for a Debt of *Two Hundred Seventy-five Pounds Twelve Shillings* and *Six-pence*, due to *John Weſt* and *Alexander Hill*, of *Boſton* in *New England*, and hath no real or perſonal Eſtate to ſatisfy the ſaid Demands, or any Part thereof, being reduced to extreme Poverty by Reaſon of many Loſſes ſuſtained in Trade, as well as the Expence attending his long and tedious Confinement, now three Years and an Half; and muſt ever remain in Goal, unleſs this Houſe compaſſionate his Condition; and therefore humbly praying that the Houſe would take the Premiſes into Conſideration, and grant an Act to relieve him from his Confinement, or ſuch other Relief as to their Wiſdom ſhall ſeem meet. *Ordered to lie on the Table.*

A Petition from *George Spofford*, of the City of *Philadelphia*, ſetting forth, that he was appointed by the Mayor, Recorder and Aldermen of the ſaid City, to execute the Office of Collector of the Duties impoſed by an Act of Aſſembly, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes*, &c. in the Place of *Joſeph Pritchard*, the late Collector, until the Aſſembly ſhould appoint another; that the Petitioner hath accordingly executed the ſaid Office with all Diligence and Fidelity; and now prays that the Houſe would nominate and appoint him to continue in the ſaid Office; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem *Ordered*, That the Clerk prepare an Account of the Buſineſs left unfiniſhed at the laſt Sitting, and referred to this Sitting, and lay the ſame before the Houſe To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 8. A Petition from divers Millers in the Counties of *Philadelphia* and *Bucks*, ſetting forth, that they are ſenſible of the Benefits and Advantages accruing to this Province from the Flour Act; that the Continuance of theſe Advantages in a great Meaſure depends on the Capacity and Integrity of the Officer appointed to put the Law in Execution; that the preſent Officer *Joſeph King*, having given general Satisfaction to all concerned, the Petitioners pray he may be appointed the Officer with the Renewal of the aforeſaid Act. *Ordered to lie on the Table.*

A Petition from divers Millers and other Inhabitants of *Cheſter* County, ſetting forth, that the Act, with its Supplement, for preventing the Exportation of Bread and Flour not merchantable, hath been of general Service to this Province, by keeping up the Reputation of our Flour in foreign Markets, and anſwering other good and laudable Purpoſes; that the Act aforeſaid is near expired, and the appointing an Officer with the Continuance of the Law becomes neceſſary; and as the preſent Officer, *Joſeph King*, by his Care, Judgment and Fidelity, in the Execution of the ſaid Act, has given general Satisfaction, the Petitioners requeſt he may be re-appointed; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from ſundry Inhabitants of the back Parts of *Philadelphia* County, complaining of the great Increaſe and bad Effects of Public Houſes, and praying Relief therein; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The

1750.
6th Mo. 8.

The Clerk, according to Order, laid before the House Minutes of the Business left unfinished at the last Sitting.

Ordered, That *Thomas Leech* and *Edward Warner* wait upon the Governor, and acquaint him, that the House is desirous of having his Result on the Bill for regulating the Probate of Wills within this Province.

The Petition of *George Spofford* was again read, and considered;

Resolved, N. C. D. That *George Spofford* be appointed the Officer for putting in Execution the Act for imposing a Duty on Persons convicted of heinous Crimes, *&c.* in the Room of *Joseph Pritchard*, supposed to be lost at Sea.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would send a Message to the House concerning that Bill To-morrow Morning.

The Governor, by his Secretary sent down a written Message to the House, with several Papers therein referred to, which were read, and follow in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'FINDING that the Proclamation which I issued last Summer on the Complaints 'of the Deputies of the *Six Nations*, against such as had presumed to settle on their 'unpurchased Lands, had no Effect, I thought it dangerous to suffer any longer such 'an open Contempt of the Authority of Government; and therefore gave Orders, that 'the Laws should be strictly put in Execution against them; and from a Report of the 'Proceedings of the Magistrates appointed for that Service, which will be laid before 'you, I thought there would have been no more Cause of Complaint on this Head; 'but by a Letter I received the last Week from the Magistrates of *Cumberland* County, 'it looks as if such as were then spared, have been since spirited up to stay, and that 'there will be an absolute Necessity of taking still farther Measures against them.

'The Accounts from *Ohio* mention, that the *French* still continue their Threats against 'the *Indians*, who carry on Commerce with our Traders; that they are frequently 'alarmed, as if the *French* were approaching in a military Manner, and therefore keep 'themselves upon their Guard; but as nothing hostile has hitherto been attempted, I 'am in Hopes this may blow over, and the *French*, from the Caution and Unanimity 'of the *Indians* in our Alliance, be obliged to alter their Measures.

'I have received two or three different Messages from the *Twightwees*; in their last 'they tell me, that they have withstood the Solicitations of the *French*, and, as a Proof 'of their Attachment to us, have refused their Presents; intimating at the same Time, 'that as they take nothing from them, they would be pleased to receive some Testimony 'of our Regard. And I am really of Opinion, that since so large an Addition is made 'to the Trade of the Province by their Means, it would be for His Majesty's as well as 'the Country's Service, if a small Present was sent to them by some Persons of Character, 'who go to trade in those Parts.

'When Mr. *Weiser* left *Ohio*, he committed several Matters of Consequence to *An-*'*drew Montour*, finding that the *Indians* esteemed him, and placed great Confidence in 'him: This gave him a sort of public Character, which has put him to some Trouble 'and Expence, as you will see by his Accounts, which I have ordered to be laid before 'you, and which have been perused and allowed to be true by Mr. *Weiser*; I therefore 'recommend it to you, that you will be pleased to make Mr. *Montour* a suitable Re-'compence for his Services. The *Indians* of those Parts are not of the most prudent 'Behaviour, and therefore it seems necessary there should be always among them some 'discreet Person, who by his Influence may be able to regulate their Conduct, and keep 'them firmly attached to the *British* Interest; more especially at a Time when the '*French* leave no Means unattempted to alienate their Affection from us, and to exclude 'us from any Share of the Benefit of trading with them: Such a Person I take Mr. *Mon-*'*tour* to be; and, as he resides at *Ohio*, he will, I am persuaded, upon a proper Recom-'pence, be always ready and willing to serve this Province to the utmost of his Power.

Aug. 8, 1750. *JAMES HAMILTON.*"

To the Honourable JAMES HAMILTON, *Esq; Lieutenant Governor, and Commander in Chief of the Province of* Pennsylvania, *and Counties of* Newcastle, Kent *and* Sussex, *on* Delaware;

The Report of RICHARD PETERS, *Esq; Secretary of the Province of* Pennsylvania, *of the Proceedings against sundry Persons settled in the unpurchased Part of the Province aforesaid.*

May it please your Honour,

A Report of Richard Peters, Esq; to the Governor.

MR. *Weiser* and I having received your Honour's Orders to give Information to the proper Magistrates against all such as had presumed to settle and remain on the Lands

1750. 6th Mo. 8. beyond the *Kittochtinny* Mountains, not purchaſed of the *Indians*, in Contempt of the Laws repeatedly ſignified by Proclamations, and particularly by your Honour's late one; and to bring them to a legal Conviction, leſt for Want of their Removal a Breach ſhould enſue between the *Six Nations* of *Indians* and this Province: We ſet out on *Tueſday*, the 15th Day of *May* laſt, for the new County of *Cumberland*, where the Places, on which the Treſpaſſers had ſettled, lay.

At Mr. *Croghan's* we met with five *Indians*, three from *Shamokin*, two of which were Sons of the late *Shickcalamy*, who tranſact the Buſineſs of the *Six Nations* with this Government; two were juſt arrived from *Allegheny*, *viz.* one of the *Mohock's* Nation, called *Aaron*, and *Andrew Montour*, the Interpreter at *Ohio*. Mr. *Montour* telling us he had a Meſſage from the *Ohio Indians* and *Twightwees* to this Government, and deſiring a Conference, one was held on the 18th of *May* laſt, in the Preſence of *James Galbreth*, *George Croghan*, *William Wilſon* and *Hermanus Alrichs*, Eſquires, Juſtices of the County of *Cumberland*; and when Mr. *Montour's* Buſineſs was done, we, with the Advice of the other Juſtices, imparted to the *Indians* the Deſign we were aſſembled upon, at which they expreſſed great Satisfaction.

Another Conference was held, at the Inſtance of the *Indians*, in the Afternoon, in the Preſence of Mr. *Galbreth* and Mr. *Croghan*, before-mentioned, wherein they expreſſed themſelves as follows:

"*Brethren*, We have thought a great deal of what you imparted to us, that ye were come to turn the People off who are ſettled over the Hills; we are pleaſed to ſee you on this Occaſion, and as the Council of *Onondago* has this Affair exceedingly at Heart, and it was particularly recommended to us by the Deputies of the *Six Nations*, when they parted from us laſt Summer, we deſire to accompany you; but we are afraid, notwithſtanding the Care of the Governor, that this may prove like many former Attempts; the People will be put off now, and next Year come again; and if ſo, the *Six Nations* will no longer bear it, but do themſelves Juſtice: To prevent this therefore, when you ſhall have turned the People off, we recommend it to the Governor, to place two or three faithful Perſons over the Mountains, who may be agreeable to him and us, with Commiſſions, impowering them immediately to remove every one who ſhall preſume after this to ſettle there, until the *Six Nations* ſhall agree to make Sale of their Land." To enforce this, they gave a String of *Wampum*, and received one in Return from the Magiſtrates, with the ſtrongeſt Aſſurances that they would do their Duty.

On *Tueſday*, the 22d of *May*, *Matthew Dill*, *George Croghan*, *Benjamin Chambers*, *Thomas Wilſon*, *John Finley* and *James Galbreth*, Eſquires, Juſtices of the ſaid County of *Cumberland*, attended by the Under-Sheriff, came to *Big Juniata*, ſituate at the Diſtance of Twenty-five Miles from the Mouth thereof, and about ten Miles North from the *Blue Hills*, a Place much eſteemed by the *Indians* for ſome of their beſt hunting Ground; and there they found five Cabbins or Log-houſes, one poſſeſſed by *William White*, another by *George Cahoon*, another not quite finiſhed in Poſſeſſion of *David Hiddleſton*, another poſſeſſed by *George* and *William Galloway*, and another by *Andrew Lycon*; of theſe Perſons, *William White*, *George* and *William Galloway*, *David Hiddleſton* and *George Cahoon* appeared before the Magiſtrates, and being aſked by what Right or Authority they had poſſeſſed themſelves of thoſe Lands, and erected Cabbins thereon? They replied, by no Right nor Authority, but that the Land belonged to the Proprietaries of *Pennſylvania*. They then were aſked, whether they did not know they were acting againſt the Law, and in Contempt of frequent Notices given them by the Governor's Proclamations? They ſaid they had ſeen one ſuch Proclamation, and had nothing to ſay for themſelves, but craved Mercy. Hereupon the ſaid *William White*, *George* and *William Galloway*, *David Hiddleſton* and *George Cahoon*, being convicted by the ſaid Juſtices on their View, the Under-Sheriff was charged with them, and he took *William White*, *David Hiddleſton* and *George Cahoon* into Cuſtody; but *George* and *William Galloway* reſiſted, and having got at ſome Diſtance from the Under-Sheriff, they called to us: "You may take our Lands and Houſes, and do what you pleaſe with them; we deliver them to you with all our Hearts, but we will not be carried to Goal."

The next Morning, being *Wedneſday*, the 23d of *May*, the ſaid Juſtices went to the Log-houſe or Cabbin of *Andrew Lycon*, and finding none there but Children, and hearing that the Father and Mother were expected ſoon, and *William White* and others offering to become Security jointly and ſeverally, and to enter into Recognizance as well for *Andrew's* Appearance at Court, and immediate Removal, as for their own; this Propoſal was accepted, and *William White*, *David Hiddleſton* and *George Cahoon* entered into a Recognizance of *One Hundred Pounds*, and executed Bonds to the Proprietaries in the Sum of *Five Hundred Pounds*, reciting, that they were Treſpaſſers, and had no Manner of Right, and had delivered Poſſeſſion to me for the Proprietaries. Then the Magiſtrates went to the Log-houſe or Cabbin of *George* and *William Galloway* (which they had delivered up as aforeſaid the Day before, after they were convicted, and were flying from the Sheriff) all the Goods belonging to the ſaid *George* and *William* were

taken

taken out, and the Cabbin being quite empty, I took Poſſeſſion thereof for the Proprietaries; and then a Conference was held, what ſhould be done with the empty Cabbin; and after great Deliberation, all agreed, that if ſome Cabbins were not deſtroyed, they would tempt the Treſpaſſers to return again, or encourage others to come there, ſhould theſe Treſpaſſers go away; and ſo what was doing would ſignify nothing, ſince the Poſſeſſion of them at ſuch a Diſtance from the Inhabitants could not be kept for the Proprietaries; and Mr. *Weiſer* alſo giving it as his firm Opinion, that if all the Cabbins were left ſtanding, the *Indians* would conceive ſuch a contemptible Opinion of the Government, that they would come themſelves in the Winter, murder the People, and ſet their Houſes on Fire: On theſe Conſiderations the Cabbin, by my Order, was burnt by the Under-Sheriff and Company. 1750. 6th Mo. 8.

Then the Company went to the Houſe poſſeſſed by *David Hiddleſton*, who had entered into Bond as aforeſaid, and he having voluntarily taken out all the Things which were in the Cabbin, and left me in Poſſeſſion, that empty and unfiniſhed Cabbin was likewiſe ſet on Fire by the Under-Sheriff by my Order.

The next Day, being the 24th of *May*, Mr. *Weiſer* and Mr. *Galbreth*, with the Under-Sheriff and myſelf, on our Way to the Mouth of *Juniata*, called at *Andrew Lycon's*, with Intent only to inform him, that his Neighbours were bound for his Appearance and immediate Removal, and to caution him not to bring himſelf or them into Trouble by a Refuſal: But he preſented a loaded Gun to the Magiſtrates and Sheriff, ſaid, he would ſhoot the firſt Man that dared to come nigher. On this he was diſarmed, convicted, and committed to the Cuſtody of the Sheriff. This whole Tranſaction happened in the Sight of a Tribe of *Indians*, who by Accident had in the Night-time fixed their Tent on that Plantation; and *Lycon's* Behaviour giving them great Offence, the *Shickcalamies* inſiſted on our burning the Cabbin, or they would burn it themſelves: Whereupon, when every Thing was taken out of it (*Andrew Lycon* all the while aſſiſting) and Poſſeſſion being delivered to me, the empty Cabbin was ſet on Fire by the Under-Sheriff, and then *Lycon* was carried to Goal.

Mr. *Benjamin Chambers* and Mr. *George Croghan* had about an Hour before ſeparated from us; and on my meeting them again in *Cumberland* County, they reported to me that they had been at *Sheerman's* Creek, or *Little Juniata*, ſituate about ſix Miles over the *Blue Mountains*, and found there *James Parker*, *Thomas Parker*, *Owen M'Keeb*, *John M'Clare*, *Richard Kirkpatrick*, *James Murray*, *John Scott*, *Henry Gaſs*, *John Cowan*, *Simon Girtee* and *John Kilaugh*, who had ſettled Lands, and erected Cabbins or Log-houſes thereon; and having convicted them of the Treſpaſs on their own View, they had bound them in Recognizances of the Penalty of *One Hundred Pounds*, to appear and anſwer for their Treſpaſſes on the firſt Day of the next County Court of *Cumberland*, to be held at *Shippenſburgh*, and that the ſaid Treſpaſſers had likewiſe entered into Bonds to the Proprietaries in *Five Hundred Pounds* Penalty to remove off immediately, with all their Servants, Cattle and Effects, and had delivered Poſſeſſion of their Houſes to Mr. *George Stevenſon* for the Proprietaries Uſe; and that Mr. *Stevenſon* had ordered ſome of the meaneſt of thoſe Cabbins to be ſet on Fire, where the Families were not large, nor the Improvements conſiderable.

On *Monday*, the 28th of *May*, we were met at *Shippenſburgh* by *Samuel Smith*, *William Maxwell*, *George Croghan*, *Benjamin Chambers*, *Robert Chambers*, *William Alliſon*, *William Trent*, *John Finley*, *John Miller*, *Hermanus Alrichs*, and *James Galberth*, Eſquires, Juſtices of *Cumberland* County, who informing us that the People in the *Tuſcoraro Path*, in the *Big Cove*, and at *Aucquick*, would ſubmit, Mr. *Weiſer* moſt earneſtly preſſed, that he might be excuſed any further Attendance, having Abundance of neceſſary Buſineſs to do at Home; and the other Magiſtrates, though with much Reluctance, at laſt conſenting, he left us.

On *Wedneſday*, the 30th of *May*, the Magiſtrates and Company, being detained two Days by Rain, proceeded over the *Kittochtinny* Mountains, and entered into the *Tuſcoraro Path*, or *Path-valley*, through which the Road to *Allegheny* lies. Many Settlements were found in this Valley, and all the People were ſent for, and the following Perſons appeared, *viz.* *Abraham Slach*, *James Blair*, *Moſes Moore*, *Arthur Dunlap*, *Alexander M'Cartie*, *David Lewis*, *Adam M'Cartie*, *Felix Doyle*, *Andrew Dunlap*, *Robert Wilſon*, *Jacob Pyatt*, *Jacob Pyatt*, junior, *William Ramage*, *Reynolds Alexander*, *Samuel Patterſon*, *Robert Baker*, *John Armſtrong* and *John Potts*, who were all convicted by their own Confeſſion to the Magiſtrates, of the like Treſpaſſes with thoſe at *Sheerman's* Creek, and were bound in the like Recognizances to appear at Court, and Bonds to the Proprietaries to remove with all their Families, Servants, Cattle and Effects, and having all voluntarily given Poſſeſſion of their Houſes to me, ſome ordinary Log-houſes, to the Number of eleven, were burnt to the Ground; the Treſpaſſers, moſt of them chearfully, and a very few of them with Reluctance, carrying out all their Goods. Some had been deſerted before, and lay waſte.

At

1750. 6th Mo. 8. At *Autquick*, *Peter Falconer*, *Nicholas De Long*, *Samuel Perry* and *John Charleton* were convicted on the View of the Magiſtrates, and having entered into the like Recognizances, and executed the like Bonds, *Charleton's* Cabbin was burnt, and Fire ſet to another that was but juſt begun, conſiſting only of a few Logs piled, and faſtened to one another.

The like Proceedings at *Big Cove* againſt *Andrew Donaldſon*, *John Macclelland*, *Charles Stewart*, *James Downy*, *John Macmean*, *Robert Kendell*, *Samuel Brown*, *William Shepperd*, *Roger Murphy*, *Robert Smith*, *William Dickey*, *William Millican*, *William Macconnell*, *Alexander Macconnell*, *James Campbell*, *William Carrell*, *John Martin*, *John Jamiſon*, *Hans Patter*, *John Maccollin*, *Adam Macconnell*, *James Wilſon* and *John Wilſon*; who coming before the Magiſtrates, were convicted on their own Confeſſion, of the like Treſpaſſes as in the former Caſes, and were all bound over in the like Recognizances, and executed the like Bond to the Proprietaries. Three waſte Cabbins, of no Value, were burnt at the North End of the Cove by the Perſons that claimed a Right to them.

The *Little Cove*, and *Big* and *Little Conolloways*, being the only Places remaining to be viſited, as this was on the Borders of *Maryland*, the Magiſtrates declined going there, and departed to their Homes. The next Day ſeveral of the Inhabitants of the *Little Cove* came to me at *Philip Davie's*, and gave me a Petition, addreſſed to the Governor, purporting, that they were ſettled to the North of the Temporary Line, in the Province of *Pennſylvania*, Weſtward to the Place where that Line was left off, and prayed that his Honour might ſuffer them to remain there, till the Line ſhould be extended, and the Purchaſe made of the Lands from the *Indians*: Finding the Petition ſigned only by a few, I returned it, telling them, when it was ſigned by more, if it ſhould appear to me that they were North of the Temporary Line, I would recommend their Caſe to the Governor; but that if they were ſettled to the South of the Temporary Line, they were in the Juriſdiction of *Maryland*, and this Government would have nothing to do with them; adding, that what had been done was ſolely with a View to prevent an *Indian* War, and was undertaken as much to ſerve the neighbouring Colonies as our own; that there was a good Harmony ſubſiſting between the Governments of *Pennſylvania* and *Maryland*, and I hoped it would always continue; and recommended it to them earneſtly, not to have Recourſe to this Government, if they were to the South of the Line; or if they were really to the North of it, that they would give no Umbrage to *Maryland*, but behave friendly, and be ſure to avoid creating any Cauſe of Complaint from the Governor of *Maryland*.

I have truly related the ſeveral Matters of Fact in the Order they were done by the Magiſtrates as well as myſelf; but I ſhould not do Juſtice to myſelf, or Mr. *Weiſer*, in whom your Honour placed the ſame Confidence, and whom I principally conſulted about the Mode of executing your Commands, if I ſhould cloſe my Report here, without giving the Hiſtory of theſe Settlements, and ſhewing upon what ſolid and juſt Reaſonings our Proceedings were founded: Your Honour will therefore indulge me, in laying this Matter particularly before you, that it may appear we have acted a right and dutiful Part to the Government, and a kind and affectionate Part to theſe indiſcreet People.

About the Year 1740 or 1741 one *Frederick Star*, a *German*, with two or three more of his Countrymen, made ſome ſmall Settlements at the very ſame Place where we found *William White*, the *Galloways*, and *Andrew Lycon*; which were diſcovered by the *Delawares* at *Shamokin*, to the Deputies of the *Six Nations*, as they came down to *Philadelphia* in the Year 1742, to hold a Treaty with this Government; and they were ſo diſturbed at it, as to enquire, with a peculiar Warmth, of Governor *Thomas*, if theſe People had come there by the Orders, or with the Privity of the Government; alledging that if it was ſo, this was a Breach of the Treaties ſubſiſting between the *Six Nations* and the Proprietor *William Penn*, who in the moſt ſolemn Manner had engaged to them, not to ſuffer any of the People to ſettle Lands till he had purchaſed them from the Council of the *Six Nations*: The Governor, as he might with great Truth, diſowned any Knowledge of theſe Perſons Settlements; and, on the *Indians* inſiſting that they ſhould be immediately thrown over the Mountains, he promiſed to iſſue his Proclamation, and if this had no Effect, to put the Laws in Execution againſt them. The *Indians* in the ſame Treaty, publicly expreſſed very ſevere Threats againſt the Inhabitants of *Maryland*, for ſettling Lands for which they had received no Satisfaction; and ſaid, if they would not do them Juſtice, they would do Juſtice to themſelves; and would certainly have committed Hoſtilities, if a Treaty had not been ſet on Foot between *Maryland* and the *Six Nations*, under the Mediation of Governor *Thomas*; at which the *Indians* conſented to ſell the Lands, and receive a valuable Conſideration for them, which put an End to the Danger.

The Proprietaries were then in *England*, but obſerving, on peruſing the Treaty, with what Aſperity they had expreſſed themſelves againſt *Maryland*, and that the *Indians*

had

had just Cause to complain of the Settlements at *Juniata*, so near *Shamokin*, they wrote to their Governor in very pressing Terms, to cause those Trespassers to be immediately removed; and both the Proprietaries and Governor laid their Commands on me to see this done, which I accordingly did in *June*, 1743, the Governor having first given them Notice, by a Proclamation served upon them. 1750. 6th Mo. 8.

At that Time none had presumed to settle at a Place called the *Big Cove* (having this Name from its being enclosed in the Form of a Bason by the furthermost Range of the *Kittochtinny Hills* and the *Tuscoraro Hills*, which last end here, and lose themselves in other Hills); this *Big Cove* is about five Miles North of the Temporary Line, and not far to the West of the Place where the Line terminated. Between the *Big Cove* and the Temporary Line lies the *Little Cove*, so called from being likewise encircled with Hills, and to the West of the *Little Cove* towards *Patowmec* lie two or three other Places, called the *Big* and *Little Conolloways*, all of them situate on the Temporary Line, was it to be extended towards *Patowmec*. In the Year 1741 or 1742 Information was likewise given, that People were beginning to settle in these Places, some from *Maryland*, and others from this Province: But as the two Governments were then not on very good Terms, the Governor did not think it proper to take any other Notice of these Settlements, than to send the Sheriff to serve his Proclamation on them, though it gave ample Occasion to lament the vast Inconveniencies which attend unsettled Boundaries. After this the *French* War came on, and the People in those Parts taking Advantage of the Confusion of the Times, by little and little stole into the *Great Cove*; so that at the End of the War, it was said Thirty Families had settled there, not however without frequent Prohibitions on the Part of the Government, and Admonitions of the great Danger they run of being cut off by the *Indians*, as these Settlements were on Lands not purchased of them: And at the Close of the War, Mr. *Maxwell*, one of the Justices of *Lancaster* County, delivered a particular Message from this Government to them, ordering their Removal, that they might not occasion a Breach with the *Indians*, but it had no Effect.

These were, to the best of my Remembrance, all the Places settled by the *Pennsylvanians* in the unpurchased Part of the Province till about three Years ago, when some Persons had the Presumption to go into the *Path-valley*, or *Tuscoraro Gap*, lying to the East of the *Big Cove*, and into a Place called *Aucquick*, lying to the Northward of it; and likewise into a Place called *Sheerman's* Creek, lying all along the Waters of *Juniata*, and is situate East of the *Path-valley*, through which the present Road goes from *Harris's* Ferry to *Allegheny*; and lastly, they extended their Settlements to *Big Juniata*; the *Indians* all this while repeatedly complaining, that their Hunting-ground was every Day more and more taken from them; and that there must infallibly arise Quarrels between their Warriors and these Settlers, which would in the End break the Chain of Friendship, and pressing in the most importunate Terms their speedy Removal. The Government in 1748, sent the Sheriff, and three Magistrates, with Mr. *Weiser*, unto these Places to warn the People; but they, notwithstanding, continued their Settlements, in Opposition to all this; and, as if these People were only prompted by a Desire to make Mischief, settled Lands no better, nay not so good, as many vacant Lands within the purchased Parts of the Province.

The Bulk of these Settlements were made during the Administration of President *Palmer*; and it is well known to your Honour, though then in *England*, that his Attention to the Safety of the City and Lower Counties, would not permit him to extend more Care to Places so remote.

In these Circumstances Matters stood between the *Indians* and this Province, when the *Six Nations* came last Summer to visit the Government, on the Closing of the War, and to receive a Present in Reward of their Fidelity. At this Treaty they renewed their Complaints, of the Injuries received by these Encroachments on their Hunting-grounds, and peremptorily insisted on the Removal of the Intruders; and your Honour, as an Expedient to quiet them, proposed a Purchase of those Lands from the *Indians*; signifying to them, that it would be more agreeable to you to buy them (as the Cause of Complaint principally arose there) than any other; but they absolutely refused, and instead thereof made an Offer of about two Millions of Acres on the East-side of *Susquehannah*, saying the People might go and settle there, which was accepted, and a Sum of Money paid them down; and thereupon a Proclamation was issued, to warn the People against continuing or settling on any unpurchased Land over *Susquehannah*, on the severest Penalties; but this making no Impression, your Honour issued Orders to me and Mr. *Weiser*, to effect their Removal.

I leave it to Mr. *Weiser* (as he was joined with me by your Honour) to make his own Report; and shall only observe, that in all our Consultations, he (who is *Indian* Interpreter for *Virginia* and *Maryland* as well as this Province, and must be supposed to know the Minds of the *Indians* the best) proceeded on this as a certain Truth, that if we did not in this Journey entirely remove these People, it would not be in the Power of

1750. *6th Mo.* 8. the Government to prevent an *Indian* War; and that, as the neighbouring Provinces were as much concerned in this Event as ourſelves, he recommended it to the Magiſtrates either not to go, or to act with the utmoſt Spirit; and his Arguments were ſo convincing, that all the Magiſtrates determined to go in a Body.

I had furniſhed myſelf with Blank Convictions and Mittimus's, ſettled by the Attorney General on the Act of Aſſembly, entituled, *A ſupplementary Act*, &c. and had taken his Inſtructions, and was determined to proceed by Conviction, Fine and Impriſonment; but when, on the very firſt Attempt to convict and impriſon, the two *Galloways* fled from the Sheriff, it then appeared very plain to every Body that this Method would not anſwer; and that, if the Treſpaſſers, who were more numerous in other Parts, ſhould believe they were to be carried to Priſon, they would either unite, and with a ſuperior Force reſiſt the Magiſtrates; or they would flee from Juſtice, and, in ſhort, that the whole Deſign muſt infallibly miſcarry.

And it was remembered, that in a ſimilar Caſe, on Complaint of the *Indians*, in the Year 1721, the Magiſtrates reſiding in that Part of the Province did, by Order of the then Governor, burn and deſtroy the Houſes and Habitations of certain Settlers on Lands on the Weſt-ſide of *Saſquehannah*, without Right. On this the Perſons in Cuſtody were told, that they ſhould deliver Poſſeſſion of their Places to me, and become bound in a Bond to the Proprietaries in *Five Hundred Pounds*, conditioned to move off with all their Cattle, *&c.* And that in the Condition they ſhould acknowledge, they had given Poſſeſſion to me for the Proprietaries; and were told at the ſame Time, that ſome Cabbins muſt be burnt: With this they were ſatisfied, and chearfully executed the Bonds, and expected, that as their Cabbins did now belong to the Proprietaries, the Perſon in Poſſeſſion for them might do what he pleaſed with them, and that ſome, if not all, would be deſtroyed.

At the *Path-valley*, and indeed at all other Places, the Offenders were got together, and were told by the Magiſtrates beforehand, what was intended to be done; and that all the new ſettled Cabbins would be burnt. After they were told this, they executed the Bonds, thereby putting me into Poſſeſſion, and very chearfully and voluntarily took every Thing out of their Log-houſes, and aſſiſted in burning them. In truth, all ſubmitted in every Place, except the two *Galloways*, and *Andrew Lycon*; and even the two *Galloways* came voluntarily after their Cabbin was burnt, and ſurrendered their Perſons, and entered into Bonds, and expreſſed Satisfaction at what had been done to their Cabbin; ſaying, that if the *Indians* were determined they ſhould not ſtay there, it was better to go away directly, as it was Summer-Time and mild Weather.

Finding ſuch a general Submiſſion, and verily believing the Evil would be effectually taken away, there was no Kindneſs in my Power which I did not do for the Offenders; giving them Money where they were poor, and telling them they might go directly on any Part of the two Millions of Acres lately purchaſed of the *Indians*; and where the Families were large, as I happened to have ſeveral of my own Plantations vacant, I offered them to ſtay on them Rent-free, till they could provide for themſelves; then I told them, that, if after all this Lenity and good Uſage, they would dare to ſtay after the Time limited for their Departure, no Mercy would be ſhewed, but that they would feel the whole Rigour of the Law.

It may be proper to add, that the Cabbins or Log-houſes which were burnt, were of no conſiderable Value; being ſuch as the Country People erect in a Day or two, and coſt only the Charge of an Entertainment.

Thus I have given your Honour a full Relation of this whole Tranſaction, humbly hoping the Part I have acted therein will meet with your Approbation; and that it will have the deſired good Effect in removing the Treſpaſſers, and prevent their returning to their Settlements, and any future Clamours or Complaints from the *Indians* on that Head, and am

Your Honour's *Moſt obedient humble Servant,*
Philadelphia, July 2, 1750. RICHARD PETERS.

A Petition from *Andrew Work*, Sheriff of the County of *Lancaſter*, ſetting forth, that the Houſe in their firſt Seſſion having received a Complaint of an undue Election of Repreſentatives, *&c.* for the ſaid County, had been pleaſed to order the Petitioner to ſummon the ſeveral Inſpectors and others officiating at the ſaid Election, to appear before the Houſe at their enſuing Seſſion; that in due Obedience to the ſaid Order, he had performed the ſame, and travelled through the diſtant Parts of the County (then very extenſive) with much Difficulty and Hardſhip in the Extremity of cold Winter Weather, and at a conſiderable Expence, amounting to upwards of *Twenty Pounds*; and praying that the Houſe would take his Caſe into Conſideration, and grant him ſuch Relief as to their Wiſdom ſhall ſeem meet; was preſented to the Houſe and read, and

Ordered to lie on the Table.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Petition

A Petition from *Robert Shewell*, of the City of *Philadelphia*, Baker, was presented to the House and read, setting forth, that the Petitioner is informed the Act is now renewing, wherein the Office of Flour-Brander is appointed; that he hath for many Years experienced the Qualities of Flour, and conceives that he is a competent Judge thereof; and therefore prays that he may be appointed the Officer for the City and County of *Philadelphia*. *Ordered to lie on the Table.* 1750. 6th Mo. 9.

The Governor's Message was again read, and considered, Paragraph by Paragraph, and the further Consideration thereof referred to To-morrow Morning.

The Governor, by his Secretary, sent down the Bill for regulating the Probate of Wills within this Province, with a Message, "That the Bill abolishes long settled "Modes of trying last Wills and Testaments, and Jurisdictions established under the Royal "Charter, and by two Acts of Assembly, and creates new Jurisdictions, with such un-"limited Powers, that the Consequences to the People cannot easily be foreseen; that "as the Bill now stands, the Governor is apprehensive it may subvert Estates real held "by former Wills, render Purchases under future Devises precarious, and so endanger "Executors and Administrators, that no Man can hereafter safely undertake these "Trusts; that supposing the Governor and Assembly should think convenient to carry "the principal Designs of the Bill into a Law, yet if his Apprehensions are well founded, "the Bill will need so many Alterations and additional Clauses to avoid the In-"conveniencies, and not incur others, that he inclines to think it a Subject proper for "a Time of more Leisure, when the House can give it all the Attention an Affair of "such Importance requires."

And the House conceiving that there will not be Time in this Sitting to reconsider the said Bill, recommend it to the Consideration of the ensuing Assembly.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House taking into Consideration that the Supplement to the Flour Act is near expiring, *Post Meridiem*

Ordered, That *Edward Warner*, *Israel Pemberton*, *Oswald Peele*, *John Woolston*, *Joseph Gibbins*, *Peter Worral* and *John Wright* be a Committee to prepare and bring in a Bill for continuing the same.

The Petition of *Andrew Work*, Sheriff of *Lancaster* County, was again read, and *Ordered to lie on the Table.*

The further Consideration of the Petitions relating to Ferries, is referred to the succeeding Assembly.

The further Consideration of the Acts relating to Public Houses, is referred to the succeeding Assembly.

The Petition from the County of *Lancaster*, relating to Workhouses, was again read, and referred to the Consideration of the next Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *Evan Morgan*, of the City of *Philadelphia*, Cooper, setting forth, that he is well qualified for exercising the Office of Collector of the Excise, and able to give good Security for the faithful Discharge of the same; and praying, that if a new Officer be chosen, he may be appointed the Collector aforesaid; was presented to the House and read, and *Ordered to lie on the Table.* 6th Mo. 10.

A Petition from *Daniel Williams*, of the City of *Philadelphia*, setting forth, that he is informed the House is disposed to remove the present Officer for collecting the Excise; that he conceives he is qualified to discharge that important Trust; and therefore praying to be appointed the Officer; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *Joseph Redman*, of the City of *Philadelphia*, setting forth, that he understands the Office of Collector of the Excise is become vacant, and therefore prays to be appointed the Officer; promising in such Case, to discharge the said Office with Diligence, Punctuality and Honour; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *William Fisher*, of the City of *Philadelphia*, setting forth, that he is informed the Office of Collector of the Excise will become vacant by the Removal of the present Officer, which induces the Petitioner to request that the said Office may be conferred on him; was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from *John Jervis*, of the City of *Philadelphia*, setting forth, that he is informed the House intends to remove the present Officer for collecting the Excise of the said City and County; and the Petitioner conceiving that he is well qualified for executing the said Office, requests that he may be appointed to succeed therein; was presented to the House and read, and *Ordered to lie on the Table.*

The Governor's Message was again read, and considered.

Ordered, That *Thomas Leech*, *Oswald Peele*, *Richard Walker*, *Thomas Cummings* and *James Wright* be a Committee to prepare a Draught of an Answer to the said Message, and report the same to the House.

Then

1750. Then the Houſe adjourned to Three o'Clock, *P. M.*

6th Mo. 10. A Bill for the Continuance of an Act of Aſſembly of this Province, entituled, *A Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the ſaid Law in Execution*, was read the firſt time, and ordered a ſecond Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 11. A Petition from *Joſeph Galloway*, praying to be appointed the Officer for collecting the Exciſe for the City and County of *Philadelphia*, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from *Judah Foulke*, praying to be continued in the Office of Collector of the Exciſe for the City and County of *Philadelphia*, as he expects to be able to procure ſuch farther Security as may be ſatisfactory to the Houſe for his future faithful Performance; and promiſing to diſcharge his Truſt with ſuch Diligence and Application, as to prevent any Cauſe of Complaint hereafter, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Bill for the Continuance of an Act of Aſſembly of this Province, entituled, *A ſupplementary Act to the Act, entituled, An Acts for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the ſaid Law in Execution*; was read a ſecond time, and conſidered, and ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to the next *Second-day*, at Three o'Clock, *P. M.*

6th Mo. 13. The Houſe met purſuant to their Adjournment.

A Petition from *John Hood*, Practitioner in Phyſick, was preſented to the Houſe and read, ſetting forth, that he is informed the preſent Collector of the Exciſe for the City and County of *Philadelphia* will be removed; and praying to be appointed in his Room. *Ordered to lie on the Table.*

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 14. *Ordered*, That *Oſwald Peele*, *Joſeph Trotter*, *Edward Warner*, *Joſeph Hampton*, *Thomas Cummings*, *Peter Worral* and *John Wright* be a Committee to inſpect and ſettle the Accounts of the incidental Charges of the current Year.

The Bill for the Continuance of an Act of Aſſembly of this Province, entituled, *A Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the ſaid Law in Execution*, being tranſcribed, was read the third time.

And the ſeveral Petitions for the Office of Flour Brander being again read;

Reſolved, That *Joſeph King* be the Officer to execute the Flour Act for the City and County of *Philadelphia*.

Reſolved, That *Joſeph Atkinſon* be the Officer to execute the Flour Act in the County of *Bucks*.

Reſolved, That *Thomas Cummings* be the Officer to execute the Flour Act in the County of *Cheſter*.

And their Names were inſerted in the Bill accordingly.

And the further Conſideration of the ſaid Bill was referred to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe proceeded in the Conſideration of the Bill for the Continuance of an Act of Aſſembly of this Province, entituled, *A Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the ſaid Law in Execution.*

Reſolved, That the Bill do paſs.

Ordered, That *Joſeph Trotter* and *George Aſhbridge* carry up the ſame to the Governor, and deſire his Concurrence thereto.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read by Order, and conſidered, and agreed to by the Houſe, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 15. The Gentlemen appointed to wait on the Governor with the Flour Bill, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would conſider it, and give it Diſpatch.

The Meſſage to the Governor being tranſcribed, was read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. THE Governor's Care, in iſſuing his Proclamation laſt Summer, 'upon the Com-'plaints of the Deputies of the *Six Nations* againſt ſuch as had ſettled on their 'unpurchaſed Lands,' and the Meaſures he has ſince taken to prevent all Cauſe of Complaint, appear to us prudent, and abſolutely neceſſary; and we hope, the Lenity ſhewn towards ſuch as 'were then ſpared,' in Commiſeration of their Circumſtances, and on their

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their Bonds to remove in a very short Time, may not be attended with any ill Consequences: And this we have the more Reason to expect, as we are now informed the Lord Chancellor has lately given a Decree in Favour of our Proprietaries, which may settle the Boundaries between us and our neighbouring Colony, and put an End to any ill Offices, or future Quarrels, between us on that Account: But should those Settlers, who have been so tenderly dealt with, unhappily suffer themselves to be 'spirited up 'to stay,' and by that Means not only continue the Cause of Complaint themselves, but by their Example draw others to return to the old, or any other Settlements, as this would be highly ungrateful, and 'acting in open Contempt of the Government,' and might involve the whole Province in great Difficulties, and themselves and their Families in Destruction, we desire the Governor would 'strictly put the Laws in Execution against them;' and if any further Assistance of ours should be necessary in an Affair of such Importance to the Peace of the Province, we shall readily contribute whatever can reasonably be expected from us.

Though the 'Accounts from *Ohio* mention, that the *French* still continue their 'Threats against the *Indians*, who carry on Commerce with our Traders;' and that 'they are frequently alarmed, as if the *French* were approaching in a military Manner,' yet as they keep themselves upon their Guard, and 'as nothing hostile has hither-'to been attempted, we hope, with the Governor, 'this may blow over.' And 'from 'the Caution and Unanimity of the *Indians* in our Alliance,' the *French* may be obliged to alter their Measures.

Ever since the *Twightwees*, upon their earnest Solicitations, and by the Intercession of the *Six Nations*, became our Allies, we have taken them under our Notice, and as such have made them Sharers in our Presents: However, since they withstood the Solicitations of the *French*, as they engaged themselves to do by the Treaty at *Lancaster*; and as they have refused to receive any Presents from them, in Proof of their Attachment to us, at the same Time intimating, 'they would be pleased to receive some Testimony of our 'Regard,' and as on their Admission to our Alliance, the Deputies of the *Six Nations* candidly informed us, though they were numerous, and worthy of our Friendship, 'yet 'they were poor,' we are of Opinion, considering the Service they may be of to us, and 'the large Addition which is made to the Trade of this Province by their Means,' it may be prudent, and accordingly we have agreed to make them some 'small Present' at this Time.

The Accounts from *Andrew Montour*, which have been laid before us by the Governor's Order, are under our Consideration, and we think it reasonable to make him such Allowance as shall appear a 'suitable Recompence for his Services;' the Esteem he is in with the *Indians*, the great Confidence they place in him, his Discretion, and Residence at *Ohio*, are good Reasons for the Governor's recommending him to our Notice. Such a Person we judge must be of use to influence their Conduct, and keep them firmly attached to the *British* Interest; and as he is ready and willing to serve the Province to the utmost of his Power, he deserves to be encouraged, especially as the *Indians* of those Parts are not of the most 'prudent Behaviour, and at a Time when the *French* leave no 'Means unattempted to alienate their Affection from us, and exclude us from any Share 'of the Benefits of trading with them.

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Joseph Trotter* and *Peter Worral* wait upon the Governor, and deliver the same.

It being moved that some Allowance should now be made to the Estate of the late Speaker for his Services; and the Question being put, whether such Allowance should be for his Services in gross, or separately for each Article? It was resolved, that the Allowance be made separately; and the further Consideration thereof was referred to the Afternoon.

Then the House adjourned to Three o'Clock in the Afternoon. Adjournment.

Post Meridiem. The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order.

The House resumed the Consideration of the Allowances to be made for the late Speaker's Services; and the Question being put, that *Eighty Pounds* be now allowed for his Service in Drawing Bills at the last Sitting? It *Past in the Negative.*

And the Question being put, that *Sixty Pounds* be now allowed for the said Service? It *Past in the Negative.*

Resolved, That *Fifty-three Pounds* be allowed for that Service.

And a Question being put, whether a further Allowance than what is provided by Law, should be made to the late Speaker as Trustee of the General Loan-Office, for exchanging old and torn Bills, many of them being of the smallest Denominations? It *Past in the Negative.*

Resolved, That *Two Hundred Pounds* be allowed to the late Speaker's Estate, for his Salary as Chief Justice.

1750. 6th Mo. 16. And for his Service as Speaker of this Assembly, *Thirteen Pounds Twelve Shillings.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Perusal of the Members.

The Governor, by his Secretary, sent down the Flour Bill, with one Amendment, and a Message, that he is ready to pass it so amended, when presented to him by the House for that Purpose.

And the House agreeing to the said Amendment, ordered the Bill to be engrossed accordingly.

Adjournment *Post Meridiem* Then the House adjourned to Three o'Clock, *P. M.*

The Petition from *Judah Foulke* was again read, together with a Certificate from the Sheriff of the County, that he had taken Effects of the said *Judah Foulke's*, to be disposed of for the Discharge of his Debt to the Treasury, of the Value of £ 700, at a low Estimate; and another Certificate from four substantial Freeholders, that they were willing and ready to enter into such Securities to the Provincial Treasurer for the said *Judah Foulke's* faithful Execution of the Office of Collector of the Excise for the future, as the House shall judge sufficient, and therefore praying that he may be continued in the said Office.

Resolved, on the Question, That a new Officer be now appointed in the Room of *Judah Foulke*, to collect the Excise for the City and County of *Philadelphia*.

Then the several Petitions for that Office were read in their Order: And the Question being put, that *Evan Morgan* be appointed the Officer for Collecting the Excise, *&c.* It *Past in the Negative.*

And the Question being put, that *Daniel Williams* be appointed the Officer for Collecting the Excise, *&c.* It *Past in the Negative.*

Resolved, That *Joseph Redman* be appointed the Officer for Collecting the Excise of the City and County of *Philadelphia*, in the Room of *Judah Foulke*, until the Time that a new Appointment is by Law to be made by the Assembly.

Adjournment Then the House adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 17. The Treasurer attending without, was called in, and represented to the House, that the Accounts of the late Collector of Excise for the City and County of *Philadelphia*, are only settled by the Committee to the first of the last *Fourth Month*, and desired, that the House would at this Time take Measures for procuring a Settlement of the said Accounts to the Time of the said Collector's Discharge from his Office. And then withdrew.

And the House considering the Treasurer's Representation,

Ordered, That the Committee of Public Accounts do audit and settle the Remainder of the said late Collector's Accounts, and report thereon to the House.

Ordered, That *Thomas Leech* and *Hugh Evans* wait on the Governor, and acquaint him, that the House inclines to adjourn To-morrow, and desire him to appoint a Member of his Council to join a Member of this House, in comparing the Bill that hath had his Concurrence, with the engrossed Copy, in order to its being passed into a Law.

Resolved, That the Sum of *One Hundred Pounds* be allowed as a Present to the *Twightwee Indians*.

The House reconsidered the Secretary's Accounts, recommended to further Consideration by the last Assembly; and resolved, that such Allowance has already been made on those Accounts as the House judge reasonable.

Adjournment Then the House adjourned to Three o'Clock, *P. M.*

Post Meridiem. The Gentlemen appointed to wait on the Governor with the Message of the Morning, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would appoint his Secretary to compare the Bill with a Member of the House; and that he would be ready to pass it To-morrow Morning.

The House resumed the Consideration of the Account of *Richard Sewell*, Sheriff of the County of *Philadelphia*; and the Committee to whom it was referred, having examined the same, and reporting it as their Opinion, that none of the Articles are proper Charges on the Province, the Laws having already provided for the Payment thereof; the House agreed to the said Report.

Thomas Leech reports, that he hath, with the Secretary, compared the engrossed Bill with the Original, and finds it to agree.

Ordered, That *George Ashbridge* and *Richard Walker* wait upon the Governor, and acquaint him, that the engrossed Bill is compared and found to agree with its Original; and desire to know when he will be pleased to receive the House in order to the passing of the same into a Law.

Adjournment Then the House adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 18. The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order, and that the Governor was

pleased

pleased to say, he would receive the House this Day at Eleven o'Clock in the Council Chamber. 1750. 6th Mo. 18.

Ordered, That *Thomas Leech* and *James Morris* see the Great Seal affixed to the Law after it shall be passed, and the same deposited in the Rolls Office.

Resolved, That the Sum of *Four Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Esq; Governor of this Province, being the Remainder of his Support for the current Year.

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House.

A Message from the Governor, by the Secretary, that the Governor is now ready to receive the House, and requires their Attendance immediately in the Council Chamber.

Then the Speaker, with the whole House, waited on the Governor.

And being returned, the Speaker reported, that the House had waited on the Governor, and presented the Bill, entituled, *A Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution*; to which the Governor had been pleased to give his Assent by enacting the same into a Law: And that the Speaker had also presented him with an Order on the Treasury of *Four Hundred Pounds* for his Support, for which he had been pleased to thank the House.

Then the House adjourned to Two o'Clock, *P. M.* Adjournment *Post Meridiem*

Resolved, That *Thomas Leech* be appointed Trustee of the General Loan-Office in the Room of *John Kinsey*, Esq; deceased.

The Report of the Committee of Public Accounts being approved by the House, follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by Order of Assembly to settle the Accounts of the* GENERAL LOAN-OFFICE *of the Province of* Pennsylvania, REPORT,

Report of the Committee appointed to settle the Accounts of the General Loan Office.

THAT, upon the Death of John Kinsey, Esq; acting Trustee of the General Loan-Office aforesaid, we met and proceeded upon the Accounts of the said Loan-Office; and upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of any of the Acts of Assembly for emitting Paper Bills of Credit. And, undischarged,

WE find there are principal Sums or Quotas thereon to become due and payable to the Trustees amounting to	£ 49,936 10 0		
That it appears by a List of 120 Mortgage Deeds, taken on a third Re-emission of the second £ 80,000 Act, there has been lent out before the Death of John Kinsey, Esq; the Sum of	7,939 15 0		
And by a List of 21 Mortgages, taken on a fourth Re-emission of the same Act, the further Sum of	1,443 0 0		
And that the Quotas outstanding and then due on all the Mortgage Deeds in said Office, amounted to the Sum of	17,542 15 0		
		£ 76,862 0 0	
That several Sums lent the Public, to be repaid into the Hands of the Trustees, are not yet paid, viz.			
The whole Sum appropriated by the second £ 30,000 Act, towards building the State-House,	2,000 0 0		
Part of the Sum lent the City of Philadelphia to build Alms-Houses,	187 10 0		
Part of the Sum lent the City of Philadelphia	156 0 0		
Part of the Sum lent the Province, and put into the Hands of the Provincial Treasurer, by the second £ 30,000 Act.	200 0 0		
		£ 2,543 10 0	
		£ 79,405 10 0	
Balance due to the Province, and paid to the surviving Trustees		594 10 0	
Makes the whole Sum of Paper Bills issued upon Loan		£ 80,000 0 0	

THAT the Trustees upon the Account of Interest, are charged with the Balance due to the Province at last Settlement in August 1749,	£	2,349 18 1	
And Interests outstanding on all the Mortgage Deeds at the Settlement,		7,067 6 4½	
And with Interest arising on all the Mortgage Deeds for the current Year,		2,882 4 6½	
And with broken Interest received before the Death of John Kinsey, and since last Settlement,		519 12 11	
		£ 12,819 1 11	
THAT upon a thorough Examination of the Indorsements upon the Mortgage Deeds remaining in the General Loan-Office whereon any Payments are yet due, we find Interest outstanding at the Death of John Kinsey, for which we give the Trustees Credit, amounting to the Sum of	£	8,205 8 7	
We likewise give them Credit for an Overcharge on Matthew Inglis's Mortgage in Interest,		3 0 0	
And for sundry Orders of the House, *viz.*			
Orders paid for Assembly Men's Wages,		353 0 0	
Paid John Kinsey, Esq; his Salary as Chief Justice of this Province,		200 0 0	
Paid Ditto, per Order of the House for other Services,		80 0 0	
Paid to Thomas Græme, one of the Judges, his Salary,		60 0 0	
Paid William Till, another of the Judges, his Salary,		60 0 0	
Paid to William Logan, his Account for Indian Goods,		100 1 0	
Paid to Ditto, for Ditto,		181 5 8	
Paid to Thomas Burden, Door-keeper,		14 3 0	
Carried over		9,256 18 3	

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			Debet Brought over		£ 12,819 1 11
	Credit brought over		9,256	18 3	
Paid to Thomas Leech, for Stamps for the laſt Paper Money,			12	10 0	
Paid to Samuel Kirk, for Wood, &c.			14	2 4	
Paid to John Davis's Executors, for his Signing Paper Money,	£ 29 14 0				
Paid to John Jervis, the Remainder's Signing Ditto,	4 6 0	—	34	0 0	
Paid to Joſeph Hampton, for Signing Ditto,			34	0 0	
Paid to Thomas Leech, towards finiſhing the State-Houſe,	60 0 0				
Paid to Ditto, towards the new Addition to the State-Houſe,	250 0 0	—	310	0 0	
Paid to Reeſe Meredith, for a £ 200 Sterling Bill remitted the Agent of the Province,			350	0 0	
Paid to Iſaac Greenleaf, for a £ 200 Sterling Bill remitted to Ditto			350	0 0	
Paid to Lynford Lardner, for the Proprietor,			130	0 0	
Paid to Benjamin Franklin, for printing Paper-Money, in Part,			112	10 0	
Paid to the Truſtees of the Province Iſland, towards building Peſt-Houſes,			200	0 0	
Paid for Sweeping the State-Houſe Chimnies,			0	2 6	
Paid to William Till, per Order of the Houſe, 1748,			18	0 0	
To the Chief Juſtice, his Salary for the current Year, allowed by the Houſe,			200	0 0	
To Ditto, for his Service as Speaker 34 Days, at 8/.			13	12 0	
To an Allowance made him by the Houſe for Drawing Bills, &c.			53	0 0	
For exchanging £ 4,028 14/ for torn Bills, Allowance by Law,			11	2 6	
The Truſtees Salaries, due the 16th of May laſt, £ 500 of which the late Truſtee paid only			310	0 0	
		£	11,409	17 7	
Balance due to the Province			1,409	4 4	
					£ 12,819 1 11

Of which Sum the Adminiſtrators of John Kinſey paid into the Hands of the ſurviving Truſtees the Sum of £ 286 18/ 9d.
Leaves the Sum of £ 1,122 5/ 7d. now due from the Eſtate of John Kinſey, deceaſed.

WE do likewiſe Report, that we have examined the Provincial Treaſurer's Accounts, and find that he Credits the Province for the Balance of Accounts ſettled with the Committee, Auguſt 1749, £ 900 13 7
By Caſh received from Judah Foulke, Collector of Exciſe for the City and County of Philadelphia, ſince the ſame Settlement, 1,720 0 0
By Caſh received from William Atkinſon, late Collector, and John Hall, preſent Collector of Exciſe for the County of Bucks, 93 5 0
By Jeremiah Star, Collector for the County of Cheſter, 342 13 6
By Arthur Patterſon, Collector for the County of Lancaſter, 233 8 6
By David M'Conaughy, Collector for the County of York, 32 6 10
£ 3,322 7 5

THAT he charges the Province with ſundry Sums, paid by Order of the Houſe of Aſſembly, viz.

To an Order paid William Donnick,	£ 4	9 3
To Ditto paid Charles Brockden,	25	7 9
To Ditto paid Richard Farmer,	3	16 1
To Ditto paid Benjamin Hooton,	5	0 0
To Ditto paid Charles Stow,	5	12 6
To Caſh paid James and Joſeph Morris for Indian Goods, in Part of the £ 500 voted by the Aſſembly for a Preſent to the Indians,	23	9 0
To an Order paid John Jervis,	1	10 0
To Ditto paid Conrad Weiſer,	173	6 0
To Ditto paid Samuel Kirk,	8	0 0
To Ditto paid Thomas M'Gee	5	8 0
To Ditto paid John Owen,	6	0 0
To Ditto paid John Stephens,	58	11 0
To Ditto paid Benjamin Franklin,	105	18 0
To Ditto paid Edward Warner,	7	0 0
To Ditto paid Lewis Evans,	10	0 0
To Ditto paid Iſaac Norris,	0	10 0
To Ditto paid Norris and Griffitts,	6	8 0
To Ditto paid Richard Peters,	51	8 6
To Ditto paid George Croghan's Order, for Indian Affairs,	40	5 0
To Ditto paid Thomas Lightfoot, for Goods, Part of the 500 l. Preſent to the Indians,	72	10 0
To Ditto paid Henry Ote,	5	0 0
To Ditto paid Tench Francis's Salary, as King's Attorney,	70	0 0
To Ditto paid Richard Sewell,	4	4 0
To Ditto paid James Brooks's Order,	2	0 0
To Ditto paid Edward Warner and Thomas Leech, the Expences of the Indians,	256	11 6
To Caſh paid William Logan, for Goods, in Part of the £ 500 aforeſaid,	100	0 0
To Ditto paid Smith and James, for Goods, in Part of the £ 500,	50	14 0
To Ditto paid James Sterret, per Order,	5	0 0
To Ditto paid Richard Peters, Conrad Weiſer's Order,	87	19 2
To William Attwood's Order, for Goods, in Part of the £ 500	6	0 0
To Caſh paid Mahlon Kirkbride, per Order,	6	0 0
To Caſh paid the Governor's Order, to Richard Peters, Remainder of his Support,	600	0 0
To Ditto paid Abraham Mitchell, in Part of the £ 500 Preſent,	3	5 6
To Caſh paid by an Order of Aſſembly, to William Allen, in the Year 1748,	16	7 3
To Ditto paid Edward Shippen, in Part of the ſaid £ 500	50	0 0
To Ditto paid Richard Peters, the Governor's Order, in Part of his Support,	600	0 0
To Ditto paid Reeſe Meredith, in Part of ſaid £ 500 Preſent,	14	15 0
To Ditto paid Hugh Roberts, in Part of Ditto,	3	15 0
To Ditto paid Katherine Lightfoot, in Part of Ditto,	2	2 0
To Ditto paid an Order of David M'Neer,	0	18 0
To Caſh paid to the Truſtees of the General Loan-Office, purſuant to the Act of Aſſembly, that gave £ 5000 to the King's Uſe	500	0 0
£	2,999	0 6
To his Commiſſions thereon,	149	19 0
Balance due to the Province,	173	7 11
£	3,322	7 5

THAT

1750.
6th Mo. 18.

THAT we have examined the Accounts of Judah Foulke, Collector of the Excise for the City and County of Philadelphia, and find that he Credits the Province for the Outstandings last Year, settled with the Committee, August 10, — £ 1,125 10 5
And for the whole Amount of Entries from the first of June 1749, to the first of June 1750, — 1,901 8 0
And for sundry Retailers, at 3 l. per Annum, — 84 0 8
And for sundry Fines received, — 23 10 8
£ 3,134 9 9

AND that he Charges the Province with Cash paid the Provincial Treasurer, 1,720 0 0
And his Commissions thereon at 5 l. per Cent, as the Law allows, 86 0 0
Balance due to the Province, 1,328 9 9
£ 3,134 9 9

THAT William Atkinson, late Collector of Excise for the County of Bucks, being dead, and John Hall, the present Collector of Excise, being sick and not able to attend the Committee, we were not capable of making any particular Settlement of the Amount of the Excise for that County this Year; but the Treasurer Credits the late Collector William Atkinson, — 50 0 0
And John Hall, the present Collector, — 43 5 0
£ 93 5 0

THAT we have examined the Accounts of Jeremiah Star, Collector of Excise for the County of Chester, and find that he Credits the Province for the Balance settled by the Committee last August, — £ 61 18 10
By the neat Amount of the Excise from the first of June, 1749, to the first of June, 1750, — 386 4 0
By a Fine received of Jeremiah Brown, — 2 10 0
£ 450 12 10

And that he Charges the Province with Cash paid the Provincial Treasurer, 342 13 6
With his Commissions on the same, at 10 per Cent, as the Law directs, — 34 5 4
Balance due to the Province, 73 14 0
£ 450 12 10

THAT we have examined the Accounts of Arthur Patterson, Collector of Excise for the County of Lancaster, and find that he Credits the Province for the Balance due from him last Year, — £ 138 14 9
And for the neat Amount of the Excise from the first of June 1749, to the first of June 1750, — 272 12 11
£ 411 7 8

That he Charges the Province with Cash paid the Provincial Treasurer, 233 8 6
His Commissions thereon at 10 per Cent, — 23 6 10
Balance due to the Province, 154 12 4
£ 411 7 8

THAT we have examined the Accounts of David M'Conaughy, Collector of Excise for the County of York, and find that he has paid the Provincial Treasurer, — £ 32 6 10

And that the Amount of Excise for said County is, — 32 6 10
And his Commissions thereon, with which Sum he must charge the Province in his next Account, — 3 4 8

THAT according to the Report of the Committee last Year, there remained in the Hands of the Trustees, of the Bills struck by the £ 80,000 Act, to exchange all the old Bills then current in this Province, the Sum of — £ 2,982 18 6
And that there remained of the £ 10,000 struck for Exchange of old and torn Bills of the £ 80,000 Act, the Sum of — 7,646 9 0
And that there was struck in small Bills or Tickets, a farther Sum of £ 5,000, and put into the Hands of the Trustees, to be delivered out or exchanged for other Bills, — 5,000 0 0
£ 15,629 7 6

Makes the whole Sum then in the Hands of the Trustees £ 15,629 7 s 6d. for Exchange for old Bills of all the Emissions: Which said Sum was paid and delivered over into the Hands of the surviving Trustees by the Administrators of John Kinsey, deceased.
And we do further report, that we have burnt and destroyed of the abovesaid Sum, old and ragged Bills of the several Emissions struck before the £ 80,000 Act, the Sum of — 709 19 6
Which deducted from the £ 2,982 18 6 above, leaves the Sum of £ 2,272 19 0 to compleat the Sinking of all the Bills struck before the Passing of the £ 80,000.
And we have sunk of old and torn Bills of the £ 80,000 and of the £ 10,000 Act, the Sum of — 3,220 13 6
And of the small Bills or Tickets, the Sum of — 98 1 0

Makes the Sum burnt this Year, — 4,028 14 0
Which leaves in the Hands of the Trustees for exchanging of torn and ragged Bills, the Sum of — 11,600 13 6
£ 15,69 7 6

And lastly, we do report, that we have sunk and destroyed in Pursuance of the Act that gave £ 5,000 to the King's Use, the Sum of — £ 500 0 0

Submitted to the Correction of the House, 6th Month 16, 1750, by

THOMAS LEECH,
EDWARD WARNER,
MAHLON KIRKBRIDE,
THOMAS CUMMINGS,
PETER WORRAL."

The Committee who were appointed to audit and settle the late Collector's Accounts since the first of the Fourth Month, report, that they have made some Progress therein, but have not had Time to compleat the same.

1750. 6th Mo. 18. *Ordered*, That they do proceed to compleat the ſame after the Adjournment of the Houſe.

Then the Orders for the Payment of the Salaries of Public Officers, and other Allowances made by the Houſe, being drawn and ſigned by the Speaker by Order of the Houſe;

The Houſe adjourned to the 30th of *September* next.

INCIDENTAL CHARGES.

Incidental Charges.

TO the Honourable *JAMES HAMILTON*, Eſq; Lieutenant Governor, the remaining Part of the current Year's Support	£	400	0 0
To *Thomas Græme*, Eſq; one of the Judges of the Supreme Court,		60	0 0
To *William Till*, Eſq; another of the Judges of the ſaid Court,		60	0 0
To *Richard Patridge*, Eſq; his Salary as Agent, 100 £ Sterl. —		172	10 0
To the Members of Aſſembly, for their Attendance, at 5ſ per Day, the groſs Sum, — —		350	11 6
To *Tench Francis*, Eſq; Attorney General, his Salary,		70	0 0
To *Iſaac Norris*, Eſq; for 20 Days Service on the Committee of Accounts, and burning Paper Money, at 5ſ *per Diem*, — —		5	0 0
To *Thomas Leech*, for Ditto and Services in ſettling the Accounts,		20	0 0
To *Oſwald Peele*, for 14 Days on the Committee, —		3	10 0
To *Edward Warner*, for 40 Days Ditto,		10	0 0
To *Mahlon Kirkbride*, for 6 Days Ditto, — — —		1	10 0
To *Thomas Cummings*, for 18 Days Ditto, — —		4	10 0
To *Richard Peters*, Eſq; his Salary, as Clerk of the Council, —		15	0 0
To Ditto for Warrants to affix the Great Seal, *&c.* — —		4	5 0
To *Conrad Weiſer*, for Services, as per Account, —		20	0 6
To *Benjamin Franklin*, the Balance of his Account for Paper and Printing of the laſt Paper Money, — — —		264	12 5½
To Ditto for his Account as Clerk of the Houſe, and for Printing Votes, Laws, *&c.* — — — —		73	8 6
To Dr. *Thomas Græme*, for his Account of Medicines, to ſick *Indians*,		16	5 0
To *Andrew Montour*, for his Service and Diſburſements, — —		92	1 0
To *Samuel Kirk*, his Salary as Sergeant, — — —		8	0 0
To Ditto for other Services, — — —		1	0 0
To *Charles Stow*, Doorkeeper to the Council, for 42 Days, at 2ſ 6d. *per Diem*,		5	5 0
To *Edward Kelly*, Doorkeeper to the Houſe, for Attendance and other Services, — — — — —		9	13 10
To *Mary Burden*, for her Services, and for Bruſhes,		4	0 0
	£	1,671	2 9½

At an ASSEMBLY *held in* Philadelphia, *the Fifteenth Day of* October, Anno Domini 1750.

8th Mo. 15. BY the Returns of the Sheriffs of five Counties, it appears that the following Gentlemen were choſen on the firſt and ſecond Inſtant, to ſerve in Aſſembly as Repreſentatives of the Freemen of the Province of *Pennſylvania* for the Year enſuing, *viz.*

For *Philadelphia* County.
Iſaac Norris,
Edward Warner,
Owen Evans,
Hugh Evans,
Joſeph Trotter,
Iſrael Pemberton, junior,
Evan Morgan,
John Smith.

For *Bucks* County.
Mahlon Kirkbride,
Joſeph Hampton,
John Woolſton,
Griffith Owen,
John Hall,
Garret Vanſant,
Richard Walker,
Abraham Chapman.

For *Cheſter* County.
Joſeph Gibbins,
George Aſhbridge,
Thomas Cummings,
Henry Hockley,
Thomas Chandler,
Nathaniel Grubb,
Nathaniel Pennock,
Peter Dicks.

For *Philadelphia* City.
Joſeph Fox, *William Clymer*, } Burgeſſes.

For *Lancaſter* County.
Arthur Patterſon, *James Wright*,
Calvin Cooper, *James Webb*.

For *York* County.
No Return made, nor Repreſentatives appeared.

For *Cumberland* County.
Joſeph Armſtrong,
Hermanus Alricks.

And

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the Year ensuing, and accordingly placed in the Chair. 1750. 8th Mo. 15.

Ordered, That *Edward Warner*, *Joseph Fox*, *Mahlon Kirkbride*, *Joseph Gibbins*, *Arthur Patterson* and *Joseph Armstrong* wait upon the Governor, and acquaint him, that pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they delivered the same according to Order; and that the Governor was pleased to say, he would be ready to receive the House this Morning at Eleven o'Clock in the Council Chamber. 8th Mo. 16.

The Secretary attending, was called in, and addressing himself to the Speaker, said,

SIR,

The Governor is now in the Council Chamber, ready to receive the House, with their Speaker.

Then the Speaker, with the whole House, waited on the Governor;

And being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had then in the Name and Behalf of the House claimed the usual Privileges, *viz.*

That the House during their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

That it would please the Governor to take no Notice of any Report, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve; nor give the least Credit to such Report. And lastly,

That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the People of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleased to say, they were the just and undoubted Rights of the House, and should be inviolably preserved to them.

Then the Qualifications by Law appointed, were taken and subscribed, first by the Speaker in the Chair, and then at the Table by the rest of the Members present, in their Order.

Resolved, That *Benjamin Franklin* be Clerk to this House for the ensuing Year;

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House, for the ensuing Year.

Resolved, That *Edward Kelly* be Door-keeper to this House for the Year ensuing.

Ordered, That *Israel Pemberton*, *Edward Warner*, *John Smith*, *Evan Morgan*, *Joseph Fox*, *Mahlon Kirkbride*, *Thomas Cummings* and *James Webb* be a Committee, to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper Money Acts. And they have Power to send for Persons, Papers and Records.

Resolved, That *Richard Patridge*, Esq; be Agent to this Province for the ensuing Year, at the Court of *Great Britain*.

Ordered, That *Israel Pemberton* and *John Smith* be, with the Speaker, a Committee of Correspondence.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'IN my Message of the 8th of *August*, to the late Assembly, I mentioned the Ap- A Message from the Governor to the Assembly.
'prehensions the *Indians* at *Ohio* were under, from the Menaces of the *French*,
'who frequently threatened to attack them, for adhering to their Friendship with us;
'yet as no Hostilities had then been attempted, I was in Hopes, from the Caution and
'Unanimity of the *Indians* in our Alliance, they might be discouraged from any Un-
'dertaking of that Kind: But I am now sorry to acquaint you, that from the Infor-
'mation I have since received, it appears, the *French* are determined at all Events, to

'bring

1750. 8th Mo. 16

'bring off the *Indians* from our Alliance: That in Conſequence of this Reſolution they 'have been uſing all poſſible Artifices to corrupt the *Six Nations* at *Onondago*, and have 'alſo very lately ſent a large and valuable Preſent to be diſtributed among the *Indians* at '*Ohio*; and leſt theſe Meaſures ſhould fail, have actually provided at Fort *D'Etroit*, 'Magazines of Proviſions and warlike Stores, to be in Readineſs againſt the Spring, in 'order to reduce them by a Body of Forces from *Canada:* In which Deſign ſhould they 'ſucceed, it cannot be ſuppoſed they will long ſuffer thoſe *Indians* to continue in Peace 'with us; the fatal Conſequences whereof, not only to our Trade, but even to the 'Lives and Properties of our remote Inhabitants, muſt be obvious to every conſiderate 'Perſon.

'That the *French* are reſolved at any Rate to embroil us with the *Indians* at *Ohio*, 'is further confirmed by two Perſons, Inhabitants of this Province, who were taken 'Priſoners in *May* laſt by ſeven *French Indians*, within a few Miles of one of the '*Twightwee* Towns, at the Inſtigation of the *French* Officer at Fort *D'Etroit*, to whom 'they were delivered, and from whom, as he was conveying them to *Canada*, they 'made their Eſcape.

'Mr. *Weiſer*, our Province Interpreter, is now in Town, being juſt returned from '*Onondago*, and brings from thence likewiſe very diſagreeable News, *to wit:* That, 'upon the Death of *Canaſſatego*, and ſome other of the principal Sachems of the *Six* '*Nations*, who were heartily attached to the *Engliſh*, the Perſon now at the Head of 'their Councils, is wholly in the *French* Intereſt.

'Thus, through the indefatigable Induſtry of the *French*, not only the *Six Nations* at '*Onondago* are much ſhaken in their Affections to us, and inclining to go over to our 'Rivals, but the *Indians* at *Ohio* are in great Danger of being corrupted by their Pre- 'ſents, or ſubdued by their Arms, unleſs ſome proper and ſpeedy Meaſures are taken 'to prevent it.

'This, *Gentlemen*, is the preſent unhappy Situation of our *Indian* Affairs, according 'to the beſt Information I can procure; and, though it is not uſual for you to enter on 'Buſineſs of Importance at your firſt Meeting, yet I am perſuaded, that, on Peruſal of 'the Papers I herewith ſend you, you will think it incumbent on you, to take the 'whole Matter into your immediate Conſideration, ſince any Delay, as Things are now 'circumſtanced, may prove of the moſt dangerous Conſequence.

'Upon what his Excellency Governor *Clinton* was pleaſed to write to me on *Indian* 'Affairs, I immediately directed Mr. *Croghan* and Mr. *Montour* to haſten to *Ohio*, 'with the ſmall Preſent provided by the late Aſſembly for the *Twightwees*, and was in 'Hopes they would arrive time enough to have diſappointed the Schemes of the *French*, 'and by ſhewing thoſe *Indians* their true Intereſt, have fixed them ſteadfaſtly in our 'Friendſhip; but unfortunately they were both prevented by Sickneſs from proceeding 'on their Journey; ſo that as they are not yet gone, I have given Orders to ſtay them, 'till I ſhall be acquainted with the Reſolutions of your Houſe on this Subject.

'I therefore earneſtly intreat you to give theſe Affairs all the Attention their Import- 'ance requires; and that, together with your Advice, you will likewiſe furniſh the 'neceſſary Means of fruſtrating the miſchievous Deſigns of our Rivals, the *French*; 'and enable me effectually to preſerve the Fidelity and Friendſhip of our *Indians* and 'their Allies.

October 16, 1750. *JAMES HAMILTON.*"

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

Griffith Owen, returned a Repreſentative for the County of *Bucks*, appeared in the Houſe, and having at the Table taken and ſubſcribed the Qualification by Law appointed to be taken by Members of Aſſembly, he took his Place in the Houſe accordingly.

Sundry Papers communicated to the Houſe with the Governor's Meſſage, were read, and conſidered.

A Petition from *Conrad Weiſer*, Eſq; Provincial Interpreter, ſetting forth, that through ſome Miſunderſtanding of his laſt Account, he was not ordered full Payment, and praying that the Houſe would re-conſider that Account, was preſented to the Houſe and read; and referred to the Committee of Public Accounts.

Ordered, That *Joſeph Trotter*, *William Clymer*, *Joſeph Hamton*, *George Aſhbridge* and *James Wright* be a Committee of Aggrievances for the enſuing Year, and they have Power to ſend for Perſons, Papers and Records.

Ordered, That the Minutes be printed, and that *Iſrael Pemberton* and *John Smith* be a Committee to reviſe the ſame before they are printed.

The Sheriff of *York* County attending, was called in, and preſented a Remonſtrance to the Houſe, which was read, ſetting forth, that on the firſt of this inſtant *October* he opened the Election duly at the Town of *York*, and, with the Aſſiſtance of ſeven Inſpectors, began to take the Poll, and continued it regularly and quietly for ſome Time,

until

until a Multitude of People, chiefly *Germans*, armed with Sticks and Billets of Wood, excited and encouraged by *Nicholas Ryland*, the Coroner, began to beat and drive away all the People from about the Court-house, whereupon the Remonstrant, with *Patrick Watson*, Esq; one of the Justices, went out to pacify them, and used their Endeavours, but in vain; for they were both struck by the People, and with Difficulty escaped back into the House; and then the Remonstrant suspended taking the Poll, in Hopes the Tumult would subside, but the People grew more outrageous, broke the Windows, and throwing in Stones and Brickbats, he, with four of the Inspectors, were obliged to quit the House through a back Window; whereupon the Rioters took Possession of the Court-house, and the Box with the Ballots. That about a Quarter of an Hour after, this Remonstrant returned to the Court-house, in order to go on with the Election, but was refused Admittance, the Coroner, with the three remaining Inspectors, having assumed to continue the Poll, and, being supported by the outrageous Multitude, kept Possession of the Box, whereby the Remonstrant was disabled from making a regular Return. 1750. 8th Mo. 16.

The Sheriff also delivered several Depositions in Confirmation of the Facts set forth in his Remonstrance, which were likewise read, and *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Remonstrance of the Sheriff of *York* County was again read. 8th Mo. 17.

And the said Sheriff attending, was called in, and examined concerning the Facts set forth in his said Remonstrance; and it appearing that a Paper had been drawn up and signed by him, and six Freeholders, as a Return of Representatives for the said County, he was required to lay the same before the House, which he did accordingly; withal informing the House, that he did not deliver it as a regular Return, it being grounded on the Depositions of other Persons present at the opening his Box of Ballots, and reading them off: and not on his own Knowledge.

And the said Sheriff, being ordered to give Notice to *Samuel Reynolds* (one of the Personson whose Evidence he had been induced to sign the said Return) to attend the House, withdrew.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Samuel Reynolds attending, was called in, and examined, touching his Knowledge of the Proceedings at the late Election for *York* County, and declared, that the Box which the Sheriff had left locked up when he was driven out of the Court-house, being at the Conclusion of the Election carried to a Tavern by the Coroner, and others, he went to see how they would deal with it; that they got a Key and opened it, and read, and took Account of the Tickets it contained; and that he took particular Notice of the Tallies, and observed that *John Wright* and *John Withero* had a considerable Majority of Votes in those Tickets, as Representatives for the said County. *Post Meridiem*

And the said *Reynolds* being withdrawn, the House, after some Debate,

Resolved, That the Return of Representatives, signed by the Sheriff and Six Freeholders of *York* County, be accepted.

And the Names of *John Wright* and *John Withero* were accordingly inserted in the List of Members of this Assembly.

The Governor's Message was again read, and referred to farther Consideration in the Morning.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

The Sheriff of *York* County attending, was called in, and admonished by the Speaker, that the House hath received the Return he delivered of Members for his County, and that he give Notice to them accordingly. That he take all the Care in his Power for the future to prevent any further Complaint of tumultuous Elections; that he be particularly careful to quiet the Minds of the People, by observing a discrete Conduct towards all Parties at his Return Home; and take the necessary Measures at the next Election to preserve the Peace. And that he acquaint the other Candidate, and the Freemen, that if any think themselves aggrieved by the Acceptance of this Return of Representatives, they may apply to the House at the next Sitting, and they shall be heard. 8th Mo. 18.

Then the Sheriff withdrew.

The Committee of Accounts made their Report on *Conrad Weiser's* Account, in Writing, which was read, and follows in these Words, *viz.*

HAVING examined the Account of Damages done by the *Indians* on their Return Home from the last Treaty, we are of Opinion, that the Sum of *Twenty-three Pounds Sixteen Shillings* should be allowed to the following Persons, *viz.*

1750. 8th Mo. 18

To *Samuel Hunter*, for Damages done to the Corn-fields of the Widow *Chambers*, of *Pextang*, now his Wife, —— —— £ 5 0 0
To *James Galbreath*, for the like Damages, —— —— 2 10 0
To *Patrick Homes*, for the like, —— —— 2 10 0
To *Moſes White*, for a Sheep killed by their Dogs, —— 0 12 0
To Widow *Morawe*, for 5 Sheep killed by Ditto, — — 2 0 0
To *David Lewis*, for 3 Ditto, — — —— 1 4 0
To *Conrad Weiſer*, for Damages done to his Orchard, Garden, Plantation, *&c.* both in their coming and returning, and by the ſick *Indians*, who ſtayed at his Houſe during the Time of the Treaty, — — 10 0 0

£ 23 16 0

We alſo find there is due to *John Harris*, for Entertainment of the *Indians* on their coming hither, — — —— — 4 18 11
And to *Conrad Weiſer*, for his attending the *Indians* until they had paſſed through the Province on their Return, — —— 10 0 0

£ 38 14 11

And it likewiſe appears to us, that the Proprietaries Agents having conſented to pay *One Hundred Pounds* towards diſcharging the Expences on the *Indians* at the laſt Treaty, that Sum hath been laid out in Goods purchaſed and ſent as a Preſent to the *Twightwees*, purſuant to the Reſolution of the Houſe laſt Year. And when theſe Sums are paid, all the Demands of *Conrad Weiſer*, on Account of *Indian* Affairs, will be diſcharged to this Time.

Submitted to the Houſe by ISRAEL PEMBERTON, JOSEPH FOX, EDWARD WARNER, MAHLON KIRKBRIDE, JOHN SMITH, THOMAS CUMMINGS, EVAN MORGAN, JAMES WEBB."

And the Houſe agreeing to the Report,

Ordered, That an Order on the Treaſurer be drawn, payable to *Conrad Weiſer*, for the Sum of £ 38 14 11; and that he pay to the ſeveral other Perſons mentioned in the Report, what is reſpectively due to them.

And the Order was drawn, and ſigned by the Speaker accordingly.

Then the Governor's Meſſage, and the Papers accompanying it, were again read.

Conrad Weiſer, Eſq; Provincial Interpreter, attending, was called in, and ſeveral Queſtions aſked him concerning *Indian* Affairs, which he anſwered to the Satisfaction of the Houſe, and then withdrew.

And after ſome Time ſpent in the Conſideration of the Governor's Meſſage, the farther Conſideration thereof was referred to the Afternoon.

Adjournment

Tthe Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

A Petition from the Commiſſioners of *Cumberland* County, appointed with the Commiſſioners of *York* County to run the Diviſion Line between the ſaid Counties; ſetting forth, that the *York* Commiſſioners refuſing to run the Line, agreeable to the Act of Aſſembly, the Petitioners conceived it their Duty to do it themſelves, and accordingly began oppoſite to the Mouth of *Swahatara*, on *Saſquehannah* River, and then took the Courſes and Diſtances along the higheſt Ridge of the Mountain, without croſſing any running Water, till they ſtruck the Middle of the main Body of the *South Mountain*, at *James Caruther's* Plantation; a true Draught whereof is annexed to the Petition. That the Draught of the Line, and Places adjacent, laid before the Houſe by the *York* Commiſſioners, as far as relates to the Waters, and Courſes, is altogether imaginary, and grounded on no actual Survey; thoſe Commiſſioners having no Surveyor with them, nor ſo much as attempting to chain any Part of it: That the Petitioners would willingly agree to the Propoſal of making *Yellow Breeches* Creek the Boundary, if that Draught had any Truth in it; but as it is altogether falſe, and the making that Creek the Line would actually cut off a great Part of the *North-valley*, reduce it to a Point on *Saſquehannah*, and make the County quite irregular; the Petitioners pray, that the Line in the Draught to their Petition annexed may be confirmed, or a ſtraight Line granted from the Mouth of *Swahatara*, to the Middle of the *South Mountain*; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Governor's Meſſage was again read, and conſidered.

Ordered, That *Iſrael Pemberton*, *Joſeph Fox*, *Abraham Chapman*, *George Aſhbridge*, *James Wright* and *Harmanus Alricks* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſage, and report the ſame to the Houſe.

Then

Then the House adjourned to Ten o'Clock To-morrow Morning. 1750.

A Petition from *Ebenezer Tomlinson*, setting forth, that he hath made frequent Applications to the Trustees of the Loan-Office, requesting that they would dispose of a certain Messuage, and Lot of Land, mortgaged to them, in which he is interested in Right of his Wife; but without Effect: That he is about to leave the Province, and desirous to adjust his Affairs before his Departure, which he cannot accomplish unless the said Messuage and Lot are disposed of; and therefore praying that the House would enquire into the Premises, and grant him such Relief as to their Wisdom shall seem meet; was presented to the House and read, and *Ordered to lie on the Table.* 8th Mo. 19.

Maurice Turner and *Ralph Killgore*, two Servants of an *Indian* Trader, who had lately escaped from the *French*, attending the House, were called in and examined, touching the Manner of their being taken Prisoners by the *French Indians*, the Place they were carried to, the Treatment they received from the *French*, the Preparations making among them for a War on our *Indians*, and other Particulars relating to *Indian* Affairs, and the State of the Frontiers; and having answered such Questions as the House thought fit to ask them, they withdrew.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, which was read, and considered, and after some Amendments ordered to be transcribed, that it may be sent up to the Governor.

The Petition of the Commissioners of *Cumberland* County relating to the Line, was again read, and referred to further Consideration at the next Sitting.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Answer to the Governor's Message being transcribed, was read, and follows in these Words, *viz.* *Post Meridiem*

May it please the GOVERNOR,

AS the Prosperity of the Trade of the Province, and the Peace and Safety of our remote Inhabitants, are essentially concerned in preserving the *Indians* in our Alliance steady in their Friendship with us; the House hath deliberately and maturely considered the Governor's Message, with the several Letters and Papers he was pleased to send with it; and having examined our Province Interpreter, and likewise the two Persons, who have lately escaped from their Imprisonment among the *French*, we do now with Gratitude acknowledge the Regard and Attention to the Interest of the Province manifested by the Governor on this Occasion. An Answer from the Assembly to the Governor's Message

We are heartily concerned that the Industry of the *French* hath met with so much Success with the *Indians* of the *Six Nations*, and we doubt not they will carefully improve this Opportunity (given by the Death of *Canassatego*, and the other Chiefs, who were our steady Friends) of using many Artifices to alienate the Affections of these Nations from us, and engage them more closely to the *French* Interest than they have heretofore been able to do; so that we are sensible there is a Necessity of speedy Measures being immediately taken to avert the unhappy Consequences of losing their Affection and Friendship; and we hope the Care the Governor has taken to inform the Governors of the neighbouring Colonies of the present Disposition of these *Indians*, will be duly regarded. This Province made them a large and valuable Present last Year; and as the Situation and Trade of *New-York* particularly demands their steady Attention to the maintaining the Alliance and Friendship of these Nations, we doubt not they will think themselves obliged to take the proper Care on this Occasion: And we believing it may be proper to send them a Message of Condolence on the Death of their Sachems, are willing to make the necessary Provision, if the Governor should concur with us, in directing *Conrad Weiser* to attend the next Treaty at *Albany*, with such a Message.

The several Nations of *Indians* about *Ohio* appear to us at this Time most immediately to merit and stand in need of our Assistance; and as the Governor has informed us, that the Messengers appointed to carry the Present provided by the last Assembly for the *Twightwees*, are not yet set out on their Journey, we have now concluded to make an Addition to that Present, and likewise to direct a Present of larger Value to be provided for the *Shawanese*, *Delawares*, *Ouendaets* and other Nations settled near them, in order to confirm them in their Friendship with us; and as we are informed there are considerable Numbers of those People, who are not united in any Government, or under any Sachems, which renders it difficult to transact Affairs, and treat with them, on any Emergency, we submit to the Governor's Consideration the Expediency of recommending to them the Advantage of such an Union; which if it can be effected and maintained without interfering with their Engagements with the *Six Nations*, may probably discourage the *French* from any Attempts against them, and afford us a greater Opportunity of improving the good Disposition they have lately manifested towards us, and of keeping them steadily attached to the *British* Nation.

The Expences arising on these Negotiations having increased much of late Years, and being likely to continue, our Duty to the Freemen of this Province, obliges us to repeat

the

1750. 8th Mo. 19. the Requeſt made by the Aſſembly laſt Year to the Governor, to recommend to the Proprietaries the Juſtice of their joining with us on theſe Occaſions. The Benefits they reap from the Settlement of their back Lands are very great, and tend peculiarly to the Advancement of their private Properties, beſides what they have in the common Proſperity of the Province, and the Increaſe of a Trade, which enables us to make Remittances directly to *Great-Britain*; that if there were not any other Conſiderations, theſe will, we hope, be ſufficient to induce the Proprietaries to bear a Part of theſe Expences; and as we ſhall now contribute as much as the preſent State of our Treaſury will permit, we hope, on the Governor's Interceſſion, the Proprietaries will readily conſent to direct a proper Addition to be made thereto.

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Edward Warner* and *Joſeph Trotter* wait upon the Governor with the ſame.

A ſmall Account from *James Claxton*, Innholder, for Expences of *Maurice Turner* and *Ralph Killgore*, was laid before the Houſe, and referred to the Committee of Accounts.

It is alſo referred to the ſame Committee, to conſider whether it may be proper to make the ſaid *Turner* and *Killgore* ſome Allowance, in Conſideration of their Sufferings among the *French*, and the Informations they have given.

The Gentlemen appointed to wait on the Governor with the Meſſage of the Houſe, return, and report, that they delivered the ſame according to Order.

Reſolved, That *One Hundred Pounds* be allowed as a Preſent of Condolence to the *Six Nations*, on the Death of *Canaſſatego*, and ſome others of their Chiefs.

Reſolved, That *One Hundred Pounds* more be given to the *Twightwees*; and *Five Hundred Pounds* to the other Nations at *Ohio*; to be laid out by the Treaſurer, in the Purchaſe of ſuitable Goods, and ſent them as ſoon as poſſible.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

8th Mo. 20. The Committee of Accounts report it as their Opinion, that *Ten Pounds* be given to *Maurice Turner* and *Ralph Killgore*, and that they diſcharge *James Claxton's* Account; to which the Houſe agreed: And an Order was drawn on the Treaſurer, and ſigned by the Speaker accordingly.

A Petition from *James Read*, Prothonotary of the Supreme Court, ſetting forth, that the Records and Papers of the ſaid Court, are removed from his Houſe into an Office in one of the Wings of the State-houſe; and praying that a Quantity of Firewood may be ordered for the Uſe of the ſaid Office; was preſented to the Houſe and read, and

Ordered to lie on the Table.

Ordered, That *Hugh Evans* and *William Clymer* wait on the Governor, and acquaint him, that the Houſe is inclined to adjourn this Day to the firſt *Second-day* of the Week in the next Eleventh Month, if he hath no Objection to that Time.

Ordered, That the Committee of Accounts inſpect the Accounts of the late Collector of Exciſe for the County of *Philadelphia*, and report thereon to the Houſe at the next Sitting.

The Gentlemen appointed to wait on the Governor with the Meſſage of the Houſe, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment.

The Governor, by his Secretary, ſent down a verbal Meſſage to the Houſe, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'I Have conſidered your Meſſage of Yeſterday, and am well pleaſed to find your Determinations ſo agreeable to what I really think the Intereſt of the Province at this Time requires: And I ſhall in the ſeveral Particulars recommended by you, act conformably to your Advice and Requeſt. The Buſineſs of my other Government requiring my Preſence at *Newcaſtle* immediately, I ſhall appoint a Committee of the Council to act for me during my Abſence, in *Indian* Affairs, in order that all poſſible Diſpatch may be given to that Service.'

Adjournment. The Houſe adjourned to the firſt *Second-day* of the Week, in the next 11th Month.

11th Mo. 7. THE following Members met, *viz.* the SPEAKER, *Edward Warner*, *Joſeph Trotter*, *Hugh Evans*, *Iſrael Pemberton*, *Evan Morgan*, *John Smith*, *Joſeph Fox*, *William Clymer*, *Garrat Vanſant*, *Joſeph Gibbins*, *George Aſhbridge*, *Henry Hockley*, *Nathaniel Grubb*, *Peter Dicks*, *Joſeph Armſtrong*, *Calvin Cooper*, *John Witherow*, *James Webb*, *John Wright* and *James Wright*.

Adjournment. And adjourned to Three o'Clock To-morrow, in the Afternoon.

11th Mo. 8. The above Members met again, with *Owen Evans* and *Joſeph Hamton*; and being now a Quorum,

Ordered, That *Iſrael Pemberton* and *Joſeph Fox*, wait upon the Governor and acquaint him, that by the Extremity of the Weather, and the Indiſpoſition of ſome of the Members,

bers, a full House did not meet Yesterday, pursuant to the Adjournment; but that a Majority then appeared, and that there is now a Quorum, to proceed on Business, and ready to receive any thing the Governor may have to lay before them. 1750. 11th Mo. 8.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message according to Order; and that the Governor was pleased to say, he would on this Occasion send a Message in Writing to the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment 11th Mo. 9.

John Wright and *John Witherow* returned Representatives for the County of *York*, took and subscribed the Qualifications by Law required to be taken by Members of this House, and then took their Seats in the House accordingly.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

Ordered, That *Israel Pemberton*, *Joseph Fox*, *Joseph Trotter*, *Richard Walker*, *Joseph Gibbins*, *James Webb*, *John Wright* and *Joseph Armstrong* be a Committee to inspect the Minutes of the last Year, and report what Matters they find unfinished, or referred to the Consideration of this Assembly.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

The Governor, by a Member of the Council, sent down a verbal Message to the House, *viz.* 11th Mo. 10.

The Governor desires the Attendance of the Members of Assembly immediately in the Council Chamber.

And the House taking the same into Consideration, after some Time,

Ordered, That *Owen Evans*, *Israel Pemberton*, *Joseph Fox*, *George Ashbridge*, *Griffith Owen*, *James Wright*, *John Witherow* and *Joseph Armstrong* wait upon the Governor with the following Message, *viz.* "That the House apprehending there is a material "Difference between the Message from the Governor delivered this Morning, and the "Governor's Answer to the Message from this House of the 8th Instant; to prevent "all Misunderstanding, they request the Governor would be pleased to communicate "the Contents of his Message to the House in Writing."

The Gentlemen return, and report, that they waited on the Governor, and delivered the Message according to Order.

The Committee appointed to inspect the Minutes of the last Year, made their Report in Writing, which was read, and is as follows; *viz.*

HAVING examined the Minutes of the Assembly of the last Year, we find that the following Bills and Petitions were recommended to the Consideration of the ensuing Assembly, *viz.* Report of the Committee appointed to inspect the Minutes.

The Bill for regulating the Probate of Wills within this Province.

The Bill for regulating the Nightly Watch within the City of *Philadelphia*.

The Petition of sundry Inhabitants of the County of *Philadelphia*, complaining of the great Increase of Public Houses, *&c.*

The Petition of the Inhabitants of the County of *Lancaster*, concerning a Work-house, *&c.*

The Petition of sundry Inhabitants of the County of *Philadelphia*, concerning Ferries.

JOSEPH TROTTER,
JOSEPH FOX,
ISRAEL PEMBERTON, jun.
RICHARD WALKER,
JOSEPH GIBBONS,
JAMES WEBB,
JOHN WRIGHT,
JOSEPH ARMSTRONG."

A Message from the Governor was delivered by one of the Council, desiring a Copy of the Message of the House in Writing.

And the Member of Council being desired to withdraw, the House agreed to send up a Copy of their Message in Writing: And the Member of Council being again called in, a Copy of the same was accordingly delivered to him, signed by the Speaker.

Then the Governor sent down a Copy of his verbal Message by a Member of Council, which is as follows, *viz.*

The Governor desires the Attendance of the Members of Assembly in the Council Chamber immediately.

The House taking into Consideration the Governor's Message, appointed a considerable Number of their Members, *viz. Israel Pemberton*, *Edward Warner*, *Joseph Fox*, *William Clymer*, *Joseph Hamton*, *Griffith Owen*, *George Ashbridge*, *Henry Hockley*, *James Wright*, *James Webb*, *Joseph Armstrong* and *John Wright*, to wait on the Governor in Pursuance of his Request, to receive what he may have to lay before the House.

Ordered, That the following absent Members be sent for to attend the Service of the House, *viz. Mahlon Kirkbride*, *John Woolston*, *John Hall*, *Abraham Chapman*, *Thomas Cummings*, *Thomas Chandler*, *Nathaniel Pennock*, *Arthur Patterson* and *Hermanus Alrichs*.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

1750. 11*th Mo.* 10. The Gentlemen appointed this Morning to wait on the Governor, report, that they went to the Council Chamber, and found that the Governor was gone; that they therefore waited on the Governor at his Houſe, who was pleaſed to ſay to them as follows, *viz.*

'I Expected, in Compliance with my Meſſage to the Members of Aſſembly met together in the Aſſembly Room this Morning, the Attendance of all ſuch as were then preſent.

'I cannot look upon you, *Gentlemen*, as a Committee of Aſſembly of this Province, becauſe in my Opinion no ſuch Houſe is now ſitting, by Reaſon of the Members failing to meet according to Adjournment; neither can ſuch Houſe now ſit unleſs legally convened by my Authority; and therefore I cannot receive any Meſſage from you as a Committee of a Houſe of Aſſembly."

And the Houſe taking the ſame into Conſideration, ſpent ſome Time therein; and then referred the farther Conſideration thereof till To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 11. The Houſe reſumed the Conſideration of the Report of the Members that waited on the Governor; and the Royal Charter, with ſeveral other Charters, Laws and original Minutes, relating to the Privileges and Powers of Aſſemblies of this Province, being read and conſidered,

Ordered, That *Iſrael Pemberton*, *John Smith*, *Joſeph Fox*, *Joſeph Hamton*, *George Aſhbridge*, *James Wright* and *John Wright* be a Committee more fully and carefully to examine the Charters and Laws of the Province, and alſo the Votes and Proceedings of former Aſſemblies, for all ſuch Paſſages and Minutes as relate to the Privileges of the Houſe, and the Proceedings of former Governors and Aſſemblies on any Failure of the Meeting of the Members, either upon their own Adjournments, or when called by the Governor's Writs; that the Houſe may judge what is fitting to be done on the preſent Occaſion.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11*th Mo.* 12. The Committee appointed to inſpect the Charters and Proceedings of Aſſemblies, report, that they have made ſome Progreſs therein, and deſire further Time to compleat the ſame, which was allowed by the Houſe.

Abraham Chapman, a Member from *Bucks* County, appeared in the Houſe.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three in the Afternoon.

11*th Mo.* 14. The Houſe met according to Adjournment, and *Nathaniel Pennock*, *Thomas Chandler*, *Thomas Cummings*, *Mahlon Kirkbride* and *Hermanus Alrichs* appeared in the Houſe, according to Order.

Thomas Chandler and *Nathaniel Pennock* took and ſubſcribed the Qualification by Law required of Members of Aſſembly, and then took their Seats in the Houſe accordingly.

The Committee appointed to inſpect the Charters, Laws and Votes of Aſſemblies, *&c.* relating to the Privileges of the Houſe, made their Report thereupon in Writing, which was read, and conſidered, and follows in theſe Words, *viz.*

WE have carefully examined, as fully as the Time would permit, all the Charters and Laws of this Province, and alſo all the Votes and Proceedings of Aſſemblies before and ſince the Granting our preſent Charter, which any ways materially relate to the Privileges of this Houſe, and to the Proceedings of former Governors and Aſſemblies on Failure of the Meeting of a ſufficient Number of Repreſentatives to proceed to the Buſineſs of the Province, either upon their own Adjournments, or when called together by the Governor's Writs; all which we lay before the Houſe in Obedience to their Order.

We find that the Royal Charter granted by King CHARLES the Second, makes and ordains WILLIAM PENN, Eſq; his Heirs and Aſſigns, true and abſolute Proprietaries of all the Lands and Dominions within the Province of *Pennſylvania*; and among other great Powers and Authorities, grants, 'Free, full and abſolute Power to him and his 'Heirs, to his and their Deputies and Lieutenants, for the good and happy Government of the ſaid Country, to ordain, make and enact, and under his and their Seals, 'to publiſh any Laws whatſoever, for the raiſing of Money for public Uſes of the ſaid 'Province, or for any other End appertaining either unto the Public State, Peace or 'Safety of the ſaid Country, or unto the private Utility of particular Perſons, according 'unto their beſt Diſcretion, by and with the Advice, Aſſent and Approbation of the 'Freemen of the ſaid Country, or the greater Part of them, or of their Delegates or 'Deputies; whom for the Enacting the ſaid Laws when and as often as Need ſhall re'quire, [the ſaid Charter wills] that the ſaid *William Penn* and his Heirs, ſhall aſſemble 'in ſuch Sort and Form, as to him and them ſhall ſeem beſt, and the ſame Laws duly 'to execute unto and upon all People within the ſaid Country and Limits thereof."

In Purſuance of the Powers veſted in the Proprietor by this Charter, we find, that on the 25th Day of *April*, 1682, he granted to the Freemen of this Province, with many other

other large Privileges and Immunities, 'That the Provincial Council [at that Time 'Part of the Legislature] in all Cases and Matters of Moment, as their arguing upon 'Bills to be past into Laws, erecting Courts of Justice, giving Judgment upon Cri- 'minals impeached, and Choice of Officers, not less than two Thirds of the whole Pro- 'vincial Council, shall make a Quorum, and that the Consent and Approbation of two 'Thirds of such a Quorum shall be had in all such Cases and Matters of Moment." And moreover, 'That in all Cases and Matters of lesser Moment, Twenty-four Mem- 'bers of thesaid Provincial Council [which was one Third Part of the Whole] shall make 'a Quorum, the Majority of which Twenty-four, shall and may always determine in 'such Cases of lesser Moment."

1750. 11*th Mo.* 14.

In the Act of Settlement made at *Chester* in the same Year 1682, when it was found necessary to reduce the Numbers both of the Provincial Council and Assembly, we find the like Provision with Regard to Matters of greater and lesser Moment in these Words, 'That the Numbers desired by the Inhabitants in their several Petitions, and 'expressed to be their Desires by the Sheriffs Returns to the Proprietary and Governor, 'to serve as the Provincial Council, and General Assembly, be allowed and taken, to 'all Intents and Purposes to be the Provincial Council, and General Assembly of this 'Province; and that the Quorum shall be proportionably settled, according to the 'Method expressed in the fifth Article [of the aforesaid Frame of Government] that 'is to say, two Thirds to make a Quorum in extraordinary Cases, and one Third in 'ordinary Cases, as is provided in the said fifth Article.'

The Frame of Government, dated the second Day of the 2*d Month*, 1683, among other Privileges granted to the Provincial Council and Assembly, recites,———that 'to the End that all Bills prepared and agreed by the Governor, and Provincial Council, 'may yet have the more full Concurrence of the Freemen of the Province, and Terri- 'tories thereof, it is declared, granted and confirmed, that at the Time and Place in 'every County for the Choice of one Person to serve in Provincial Council, the respective 'Members thereof at their said Meeting, shall yearly choose out of themselves six 'Persons of most Note for Wisdom, Virtue and Ability, to serve in Assembly as their 'Representatives, who shall yearly meet on the 10th Day of the 3*d Month* in the Ca- 'pital Town or City of the said Province; unless the Governor, and Provincial Coun- 'cil shall think fit to appoint another Place to meet in; where during eight Days the se- 'veral Members may confer freely with one another; and if any of them see meet, 'with a Committee of the Provincial Council, which shall be at the Time purposely 'appointed to receive from any of them, Proposals for the Alteration or Amendment of 'any of the said proposed, and promulgated Bills; and on the ninth Day from their 'so meeting, the said Assembly after their reading over of the proposed Bills by the 'Clerk of the Provincial Council, and the Occasions and Motives for them being opened 'by the Governor or his Deputy, shall, upon the Question by him put, give their Af- 'firmative or Negative, which to them seemeth best, in such Manner as is hereafter 'expreſt,' [that is, in Things personal by Ballot, and in all Things relating to the pre- paring and passing of Bills into Laws openly by Vote] 'But not less than two Thirds 'shall make a Quorum in the passing of all Bills into Laws, and Choice of such Of- 'ficers as are by them to be chosen.'

Your Commitee have transcribed this whole Paragraph, because it is the first of our Charters wherein the Distinction between the Powers of Assembly in Matters of greater and lesser Moment is omitted, though without any negative Words, and plainly im- plied in the Paragraph itself, and fully cleared up in the next Frame of Government made and passed by *William Markham*, Esq; then Lieutenant Governor under the Pro- prietor, upon his being restored to the Government of this his Province, in the Year 1696, in which the Distinction of the Frame of Government, and Act of Settlement both past in the Year 1682, with regard to the Council, is restored in these Words: 'And be it enacted, *&c.* That the Council in all Cases, and Matters of Moment, as 'about erecting Courts of Justice, sitting in Judgment upon Persons impeached, and 'upon Bills and other Matters that may be from Time to Time presented to the As- 'sembly, not less than two Thirds shall make a Quorum; and that the Consent and 'Approbation of the Majority of that Quorum shall be had in all such Cases, and Mat- 'ters of Moment: And that in Cases of lesser Moment, not less than one Third shall 'make a Quorum, the Majority of which shall, and may always determine in all such 'Cases of lesser Moment; and in Case the Governor's Power shall hereafter happen to 'be in the Council, a President shall be then chosen out of themselves by two Thirds, 'or the major Part of them; which President shall therein preside.'

And the Assembly, (whose Powers by this Charter were materially altered) were thereby impowered and authorized to prepare Bills, and propose them to the Council in the following Words, *viz.* 'And be it enacted, *&c.* That the Representatives of the 'Freemen, when met in Assembly, shall have Power to prepare, and propose to the 'Governor and Council, all such Bills as they, or the major Part of them, shall at any

'Time

1750. 11*th Mo.* 14. ‘ Time ſee needful to be paſt into Laws, within the ſaid Province, and Territories; ‘ Provided always, that nothing herein contained ſhall debar the Governor and Council, ‘ from recommending to the Aſſembly all ſuch Bills as they ſhall think fit to be paſt ‘ into Laws; and that the Council and Aſſembly may, upon Occaſion, confer together ‘ in Committees, when deſired: All which ſaid propoſed and prepared Bills, or ſuch of ‘ them as the Governor, with the Advice of the Council, ſhall, in open Aſſembly, de- ‘ clare his Aſſent unto, ſhall be the Laws of this Province, *&c.*’——And be it further enacted, ‘ That the Aſſembly ſhall ſit upon their own Adjournments, and Committees, ‘ and continue in order to prepare and propoſe Bills, redreſs Grievances, and impeach ‘ Criminals, or ſuch Perſons as they ſhall think fit to be there impeached, until the Go- ‘ vernor and Council for the Time being ſhall diſmiſs them; which Aſſembly ſhall, ‘ notwithſtanding ſuch Diſmiſs, be capable of aſſembling together, upon Summons of ‘ the Governor and Council, at any Time during that Year, two Thirds of which As- ‘ ſembly, *in all Caſes*, ſhall make a Quorum.’

As in this laſt Paragraph two Thirds are mentioned as a Quorum of Aſſembly *in all Caſes* when called by the Governor's Writs, without any negative Words; it is remarkably explained by the Conduct of ſucceeding Governors, and the Proprietor himſelf, when the Aſſemblies failed of making a Quorum.

In the Minutes for the Year 1698, during Governor *Markham's* Adminiſtration, we find, ‘ that *Edward Shippen* and *William Biles*, two Members of Council, being ſent ‘ from the Governor, reported, that there was not a ſufficient Number of Council as ‘ yet come in, therefore deſired our Appearance To-morrow Morning at Nine o'Clock. ‘ At which Time the Repreſentatives of Aſſembly met.——Two Members of Council ‘ came with a Meſſage from the Governor, that he was ready to receive us, in order ‘ for our Qualification; we making our Appearance accordingly, and being qualified, ‘ the Governor returned us to our Houſe to chooſe a Speaker.

In the Minutes for the Year 1699, are theſe Words, ‘ *David Lloyd* and *John Hill*, ‘ two Members of Council, informed the Houſe, that they were now a full Council, ‘ and were ready to receive the Aſſembly. *Anthony Morris* and *James Fox* being re- ‘ queſted by the Members of Aſſembly now met, went to the Governor and Council ‘ to acquaint them, that they were not a full Houſe, and to deſire that the abſent ‘ Members might be ſent for. Whereupon the Governor ordered that all the Mem- ‘ bers preſent ſhould come into Council, in order to be qualified: Upon which the ‘ Members went in a full Body to the Governor, and were qualified; after which they ‘ returned to the Houſe, and agreed to meet together To-morrow Morning about Ten ‘ o'Clock.

In the Year 1700, when the Proprietor himſelf was our Governor, we find the Minutes of that Year begin with theſe Words, *viz.* ‘ At an Aſſembly held at *Philadel-* ‘ *phia*, the tenth Day of the 3*d Month*, 1700, ſeveral of the Members appearing, but ‘ not being a full Houſe, it was concluded to meet again on the twelfth Inſtant.

‘ 3*d Month* 12, 1700. The Members of the Houſe being met and qualified, pro- ‘ ceeded to chooſe their Speaker; and *John Blunſton* being by the Majority of Votes ‘ choſen Speaker, was deſired to take the Chair, which he did accordingly.——Two ‘ Members of Council were ſent from the Governor and Council to inform this Houſe, ‘ that if the Houſe had any Thing to propoſe, they were ready to receive it; where- ‘ upon the Houſe repaired to the Council Room, and preſented their Speaker, who was ‘ approved of by the Governor.

In the Year 1701, when the Proprietor and Governor was yet in the Province, we have upon our Minutes a particular Inſtance of the Proprietor's Conduct towards that Aſſembly upon their being unable to make a Quorum, when called together by his Writs: The Words are: ‘ At an Aſſembly held at *Philadelphia*, the firſt Day of the 6*th* ‘ *Month*, 1701, the Members of the Houſe being called over, there appeared, *viz.* ‘ *Joſeph Growdon*, Speaker, *&c.*———There appearing but twelve Members this Day, ‘ they all attended the Governor to know his Pleaſure in calling this Aſſembly; who ‘ anſwered, that he would rather chooſe to defer the Buſineſs 'till there was a greater ‘ Number; whereupon the Aſſembly adjourned 'till Nine o'Clock To-morrow Morn- ‘ ing.’

‘ 6*th Month* 2. The Aſſembly met, the aboveſaid Members all appeared, and ſix ‘ other Members, *which making a full Houſe*, they attended the Governor, to know his ‘ further Pleaſure; whereupon the Governor acquainted the Houſe the Occaſion of cal- ‘ ling them at this Time.’

The 23*d*, 24th and 25th of *September*, 1701, we find ſeveral very remarkable Minutes relating to the Meeting of a Majority of Members of Aſſembly on their own Adjournments, *viz.* ‘ *September* 23, The Houſe met, *&c.* There being a Quorum,—adjourned ‘ 'till Nine o'Clock in the Morning.——24th, The Houſe met, the Speaker aſſuming ‘ the Chair, and the Houſe being called over, nine of the Members being abſent, and ‘ the Provincial Court ſitting this Day, where one of the Members was obliged to be;

‘ it

1750. 11th Mo. 14.

'it being the Time of the yearly Meeting, and not a full House, it was ordered that the House be adjourned till Nine o'Clock To-morrow Morning.'

'*September* 25. The House met, *viz.* the Majority; it was proposed, whether the 'King's Letter be considered, or whether the House send to the Governor to know his 'Answer to the Address?—Agreed on, that the Letter should be read, and debated, which 'was done accordingly;——adjourned till Three o'Clock in the Afternoon.——At which 'Time the Speaker assumed the Chair, and the House being called over, the major 'Part appeared; *Ordered*, that *A. M.* and *T. B.* wait on the Governor to request his 'Answer to the Address, and to desire a List of the Laws sent to *England*, for the King's 'Approbation; who return and say, they have done their Message, and that the Go-'vernor answered, that they had the Business in Debate, but desired a Conference with 'the whole House in the Morning at Eight o'Clock, when they should have a more 'particular Answer: That the Laws were marked, and they would look for them; 'when found, they should be given in.'—'Two Members of Council came from the 'Governor, and desire the Address of the Inhabitants.'—'Put to the Vote, whether a 'Copy thereof be sent to the Governor?——Then the two Members of Council being 'again called into the House, were told, that the Governor should have a Copy of the 'said Address this Night or in the Morning.———Adjourned till Eight o'Clock To-'morrow Morning.——29*th*. The House met, and all appeared, *&c.*

In the same Year 1701, on the tenth Day of *October*, *P. M.* among other Minutes are these following, *viz.* 'The Vote being put, whether the Bill for Confirmation of 'Laws should pass into a Law?—several Members rose up and left the House [*viz.* nine] 'and the Vote was immediately carried in the Affirmative by the remaining Members, 'being fourteen in Number, *N. C. D.*—Adjourned till Nine o'Clock To-morrow 'Morning. *October* 11. The House met, and—all appeared, except some of the Lower 'County Members not yet returned.'———Then several Bills were read, and likewise our present Charter of Privileges.———*Ordered*, that *J. B.* and *S. R.* wait on the Governor, and acquaint him with the Members leaving the House, who return and say, that the Governor's Answer was, '*They might proceed to Business notwithstanding.*'

We apprehend there can be no Occasion to multiply Instances of the Powers, agreed by the Proprietor to be vested in the Meeting of a Majority of the Representatives after this his full Declaration to that very Assembly, who, at that Time, had under their Consideration, and in a few Days after accepted of our present Charter. Only, we may observe, that notwithstanding the aforesaid Lower County Members sometimes took their Seats in the House, and at other Times absented themselves, *for fear of being over-voted*; yet the Business of the Province, whether they were present or absent, went forward; and at length the Proprietor, Assembly and Members of the Lower Counties, without the least Objection, unanimously concur in passing those Laws, and accepting our present Charter.

We should here rest our Enquiries previous to the Charter, but for a very material and short Minute of the Twenty-second of *October*, this Year, *viz.* 'The House met, *&c.* '———and *there being a Majority*, it was proposed to go to the Governor, in order to 'know his Pleasure in respect to the Conference by him proposed.———Adjourned till 'Nine o'Clock To-morrow Morning.——*October* 23. The House met, *&c. Ordered*, 'that *A. M.* wait on the Governor with the Charter of Privileges, and acquaint him 'that the House have considered it, and approve of it, as it now is, and desire it may 'be engrossed.'

We now come to our present Charter, the second Section whereof grants, that, 'For 'the well-governing of this Province and Territories, there shall be an Assembly yearly 'chosen by the Freemen thereof, to consist of four Persons out of each County [this 'was agreeable to the Frame of Government, 1696] (or of a greater Number, at 'any Time as the Governor and Assembly shall agree) upon the first Day of *October*, 'forever; and shall sit on the fourteenth Day of the same Month. Which Assembly 'shall have Power to choose a Speaker, and other their Officers, and shall be Judges 'of the Qualifications and Elections of their own Members, sit upon their own Ad-'journments, appoint Committees, prepare Bills, in order to pass into Laws, impeach 'Criminals, and redress Grievances, and shall have all other Powers and Privileges of 'an Assembly, according to the Rights of the Freeborn Subjects of *England*, *and as is* '*usual in any of the King's Plantations in* America.'

'And if any County or Counties shall refuse or neglect to choose their respective 'Representatives as aforesaid, or if chosen do not meet to serve in Assembly; those who 'are so chosen, and met, shall have the full Power of an Assembly, in as ample Man-'ner, as if all the Representatives had been chosen: Provided they are not less than two 'Thirds of the whole Number that ought to meet.'

We are now to enquire what Judgment the Governors and Assembly formed upon this Section of our present Charter, in regard to the *Power of a Majority of Assembly to adjourn when met*, either upon their own Adjournments, or when called together by the

1750. 11*th Mo.* 14. Governor's Writs; in order to which, we have ſearched our Minutes, and find the following, *viz.* '*6th Month* 16, 1704. The Houſe met according to the laſt Adjourn-' ment, but in regard ſome of the Country Members were abſent by Reaſon of the Vio-' lence of the Weather, and the Matters before the Houſe being of Moment, the ' Houſe adjourned till To-morrow, at Two o'Clock in the Afternoon. *6th Month* 17. ' The Houſe met, and the Members being called over, a Quorum appeared.'——Upon which Governor *Evans* joined with the Houſe, without the leaſt Objection [that we can find] for Want of a Quorum upon their firſt Meeting.

This is the only Inſtance we meet upon our Journals, where the Aſſembly failed to meet upon their Adjournment, till after Paſſing the Law, *Quarto Annæ*, entituled, *An Act to aſcertain the Number of Members of Aſſembly, and to regulate the Elections.* By which Law the two Members for the City of *Philadelphia*, and eight Members for each of the Counties (then erected) were confirmed, and the two Paragraphs relating to the Powers and Privileges of an Aſſembly, and the Proviſion in caſe any County ſhould refuſe to chooſe [as had been the Caſe of *Newcaſtle* County, in the Year 1699] were enacted in the very Words of the Charter. So that the ſame Powers continued, after the paſſing this Act, as were veſted in the Repreſentatives by the Proprietor's Charter.

We therefore proceed to lay before the Houſe what we have met with, ſince the paſſing of that Law.

' 3*d of the* 12*th Month*, 1706-7. The Governor having ordered the Sheriffs of the ' reſpective Counties of this Province, and the City of *Philadelphia*, to ſummon the Aſ-' ſembly to meet this Day, the major Part of them met accordingly; but a competent ' Number to proceed upon Buſineſs not being preſent, thoſe who were met, agreed to ' meet again at Nine o'Clock To-morrow Morning.—12*th Month* the fourth, 1706-7. ' A Quorum appeared.——Divers of the Members who now appeared, excuſed their ' Abſence Yeſterday, by reaſon they had no Notice of the Governor's Order, till the ' Evening before.———The Governor being out of Town,——the Houſe adjourned ' till Two o'Clock this Afternoon.———*P. M.* The Houſe met, and—a Quorum ap-' peared.———The Secretary brought from the Governor an Account of a Viſit for-' merly made by the Secretary and others to the *Indians*.——And alſo a Treaty (with ' the Charge thereof) between the Governor and the ſaid *Indians*—which was read, ' and ordered to be read again.———The Houſe proceeded in their Buſineſs.' After an Adjournment from the 15th to the 18th, *P. M*, there is a Minute in the following Words.———" 12*th Month* 18, 1706-7. The major Part of the Members of Aſſem-' bly met; but in regard a competent Number to proceed upon Buſineſs appeared not, ' the Members preſent agreed to meet again at Eight o'Clock To-morrow Morning.— ' 12*th Month* 19. The Houſe met, and a Quorum appeared, and went on with their ' Buſineſs.'

' 6*th Month* 2, 1708. The Governor having ordered the Sheriffs of the ſeveral ' Counties of this Province, and the City of *Philadelphia*, to ſummon the Repreſenta-' tives of the Freemen of the ſaid Province to meet him in Aſſembly this Day: The ' major Part of the ſaid Repreſentatives met accordingly, but there not being a Quorum, ' the Members preſent agreed to meet again To-morrow Morning.———6*th Month* 3, ' 1708. The Houſe met, and the Speaker aſſuming the Chair, the Members were cal-' led over, and a Quorum appeared.' A Committee was appointed to wait on the Governor, and he the next Day joined with them in proceeding to Buſineſs, without any Objection to their not having a full Houſe on the Day of the Return of his Writs.

' 5*th Month* 26, 1709. The Governor having ordered the Sheriffs to ſummon the ' Repreſentatives of the Freemen of the Province to meet him in Aſſembly, this Day ' divers of the ſaid Repreſentatives met accordingly; but not being a full Houſe, the ' Members preſent agreed to meet again at Ten o'Clock To-morrow Morning.—— ' 5*th Month* 27, 1709. The Houſe met, and a Quorum appeared.—*Ordered*, that *J. H.* ' and *A. B.* do wait on the Governor, and acquaint him that the Houſe is met, and ' ready to proceed to Buſineſs—They returned, and acquainted the Houſe, That the ' Governor was pleaſed to tell them, he has ſomething to communicate to the Houſe ' when he can get his Council together, which he intended this Afternoon. Adjourned ' till Three o'Clock, *P. M.*——*P. M.* The Houſe met,' and the Governor recommended to them the public Buſineſs, without any Objection on Account of their Failure at their firſt Meeting.———So again having adjourned themſelves from the 30th 5*th Month* to the 15th 6*th Month*, when the Houſe not being able to make a Quorum, ' Agreed to meet the next Morning,' when a Quorum appeared; and they proceeded to Buſineſs as before.——And again,—' *October* 31, 1709. Several of the Members ' of Aſſembly met; but there not appearing a full Houſe, the Members preſent agreed ' to ſend *J. H.* and *J. R.* to inquire if the Governor be yet come to Town, who ac-' cordingly went to the Governor's Lodgings, and were informed, he is not come to ' Town, nor will be till the latter End of the Week at ſooneſt.——Whereupon the ' Members agreed to meet again To-morrow Morning.——*November* 1. Divers Members

' met,

1750. 11th Mo. 14.

'met, and sent to inquire if the Governor is yet come from *Newcastle*; but the Mem-
'bers who went on the Message, reported, that they had been at the Governor's Lodg-
'ings, and were informed, he will not be in Town in a Week's Time, or more;
'whereupon the Members present, agreed to adjourn till the 14th Day of this Instant;
'and *P. T.* to acquaint the Governor therewith, if he comes to Town.'

November 14, 1709. Divers Members met, but there not being a full House, the Members present adjourned till To-morrow Morning. *November* 15. The House met, and [the Governor not being in Town] appointed a Committee, 'To confer with a Com-
'mittee of the Council upon the Bill of Fees [who reported] that the Committee at the
'Conference had gone through the Bill of Fees, and settled them all, excepting the Fees
'belonging to the Collector and Naval-Officer, which they had agreed to wave till the
'next Sitting of the House. The Speaker acquainted the House, that when the Mem-
'bers of Assembly met on the first Day of *November* last, the Secretary brought a Pe-
'tition to the Members who were present, desiring that Preparation may be made for
'his Trial upon the Impeachment of a former Assembly, which being read in the
'House, was ordered to be read again To-morrow Morning. *November* 16. The House
'having read and debated the said Petition, came to several Resolves, and among others,
'*That the Secretary do forthwith lay before this Assembly, his particular Answer to every*
'*Charge contained in the Articles of Impeachment.*' On the 18th, a Committee was ap-
pointed to confer again with a Committee of Council, to settle the Fees of the Collector and Naval Officer. On the 19th, the Committee appointed to confer with the Members of Council upon the Bill of Fees, reported, 'That the said Conference was begun Yester-
'day, but nothing proceeded on, saving in general, and endeavouring to settle the
'proper Articles to be charged by the Collector and Naval-Officer; and agreed to
'meet the Council again this Morning, if the House thinks fit. *Resolved*, that the
'Members do sit again this Morning, with the Members of Council, upon the said
'Conference, and make Report on *Monday* next; and then adjourned to (the Day
'called) *Monday* next.' *November* 21, 1709. The House ordered a Copy of their Re-
solves relating to the Impeachment of the Secretary, to be delivered to him by one of their Members, 'with the Order thereupon; requiring the said Secretary's Compliance
'with the said Resolves without Delay.' Then the Committee appointed to join with the Members of Council about the Fees, 'Reported, that they had made some consi-
'derable Progress therein, and had settled those Fees unsettled by the former Committee
'in the Bill; which being read, was approved by the House.' *November* 22. The House ordered several of their Members to wait on the Governor, 'And deliver him a
'Copy of the Resolves of the House on the 16th Instant, concerning the Secretary's
'Petition, and also desire his speedy Answer thereunto.' And the Secretary brought a Paper to the House, which he called a Complaint, which was read. The Members appointed to wait on the Governor, reported, 'that they had delivered a Copy of the
'said Resolves, — and that the Governor was pleased to tell them, he will consider of
'their Message, and send an Answer to the House.' The House, in a Committee of the whole House, 'Came to a Resolution upon the Matters committed to them, and ap-
'pointed two Members to give Notice to the Secretary to appear at Ten o'Clock To-
'morrow Morning.' *November* 23. The Secretary appeared before a Committee of the whole House, ——and after his Departure, the House resolved, 'that the Secretary be
'ordered to attend at the Bar of the House, at Four o'Clock, *P. M.*— *P. M.* The Se-
'cretary came to the House, and being admitted to the Bar, was informed by the Speaker,
'that the House were come to three Resolutions concerning him, wherewithal the
'Speaker acquainted him particularly, and demanded his Answer to each of them;
'whereupon he answered, that he would speak to the last Resolve first,' —— and then went on with his Answers; in all which, the Secretary acknowledges, and frequently calls them a House. On the 24th of *November*, 'The House ordered two of their
'Members to wait upon the Governor, and desire to know his Answer to the Assembly's
'Resolves of the 16th Instant [all which Resolves related to the Impeachment of the
'Secretary] which were presented to him since he came to Town.——And to acquaint
'him that the Fees being settled by a Committee of Council and Assembly, and ready
'to be inserted in the Bill; the House desire to know whether the Governor will be
'willing at this Time, to pass that Bill, and Bill of Courts. They returned and re-
'ported, that the Governor was pleased to tell them, that he did not think fit to sit
'judicially upon the Trial of the Secretary, nor that he was safe so to do: And as to
'the Bills, he could say nothing to them till he saw them; but expected the *Assembly*
'would lay before him all such Bills as they desired should be past into Laws, and he
'would then consider them, and give his Answer to the *House*; and withal gave them
'Order to assure the *House*, that he would not protect the Secretary, but leave the *As-*
'*sembly* to proceed against him as they think fit.' The House upon this Answer from the Governor, proceeded immediately to make several severe Resolves against the Secre-
tary, and amongst the rest, that he should be taken to the County Goal.

Permit

1750. 11th *Mo.* 14. Permit your Committee to obſerve, that this valuable Privilege of adjourning themſelves whenever a Majority of the Repreſentatives met, *either upon their own Adjournments*, or *when ſummoned by the Governor's Writs*, remained until this Time inviolated, unqueſtioned, and ſtrengthened (if that can be) by the Deciſion of that great good Man, who firſt beſtowed upon us that valuable Privilege of ſitting upon our own Adjournments. But now we are entring upon a new Scene, where we find, that though it is acknowledged both in the Beginning and End of Governor *Gookin's* Adminiſtration yet occaſionally he not only queſtioned, but denied it with great Heat and Reſentment, as will ſoon appear.

On the 25th of *November*, 1709, the Houſe addreſſed the Governor, laying before him their Reſolves, and ordering the Sheriff of *Philadelphia* County (whom they appointed, by a Reſolve of the Houſe, their Officer for this Purpoſe) to take the Secretary to the County Goal, which he promiſed to obey.

The Secretary being thus warmly proſecuted by the Houſe (ariſing in a great Meaſure from his extreme Attachment to the Proprietary Intereſt) and as earneſtly protected, both by the preſent and the former Governor, as well as others in the Magiſtracy at this Time, Governor *Gookin* found himſelf neceſſitated either to ſuffer the Aſſembly to proceed in executing their rigorous Reſolves, or elſe to queſtion their Powers; and accordingly he choſe to diſpute their Right of Adjournment, when met together in a leſſer Number than a Quorum of the Whole Houſe, though he himſelf, as well as the Council and Secretary, had acknowledged their Powers ever ſince their failing to make a Quorum on the 31ſt of *October*, and the firſt and 14th of *November*, as we have already ſhewn.

November 26. The Sheriff, in the Execution of the Order of the Houſe, being oppoſed by the Governor, and the Mayor of the City of *Philadelphia*, reported the ſame to the Houſe; whereupon the Speaker acquainted him, that if the Governor thought fit to ſuperſede the Warrant [iſſued by the Speaker] 'it muſt be by an Inſtrument in Write-
'ing; otherwiſe the Houſe could take no Notice of it, but would expect him to do his
'Duty; and he thereupon was ordered to withdraw. The Speaker acquainted the
'Houſe, that he received a Paper laſt Night from the Governor, which contained ſome
'Account of what he had ſaid to ſome Members of Aſſembly, about the Secretary's
'Trial, *&c.* which he had deſired might be communicated to the Members, as Oppor-
'tunity offered, and to the Houſe at their next Meeting; *for that he could not conſider*
'*the Aſſembly as a Houſe, ſeeing they had dropt their own Adjournment.*'

'*November* 28. The Sheriff, being upon his Requeſt admitted into the Houſe, de-
'clared, that he had received from the Governor, a *Superſedeas* to the Warrant ſigned
'by the Speaker againſt the Secretary, under the Governor's Hand, and Seal of the
'Province, which he produced, and delivered to the Speaker; which being read in the
'Houſe; and the Contents thereof conſidered and debated, the Houſe came to [ſeveral]
'Reſolutions thereupon, *N. C. D.* [amongſt which, the third Reſolve is] *Reſolved*, that
'the Governor's Objection, that this Aſſembly is no Houſe; becauſe, as he ſays, they
'dropt their Adjournment, is of no Weight; becauſe, if that ſhould be granted, it is
'poſſible, that by Violence of Weather, Mortality or Indiſpoſition, it may often happen,
'as it hath done heretofore, that two Thirds of the whole Number cannot meet on the
'Day appointed; in which Caſes the Conſtitution might be in Danger of Diſſolution,
'which would be an Abſurdity not to be ſuppoſed. *Ordered*, that a Remonſtrance be
'drawn to be ſent to the Governor on this Occaſion; as alſo to preſs him to paſs ſuch
'Bills, as will be ready to be ſent him therewith, with what other Bills are before him.
'*Ordered*, that the Bill of Fees be regulated according to the Agreement of the Com-
'mittees appointed by the Governor to ſettle the ſame.'

On the 29th and 30th, the Houſe having met, and agreed upon a Remonſtrance to the Governor, they ordered ſeveral of their Members 'to attend the Governor with the
'Remonſtrance, and alſo to deliver him the Bill of Fees regulated as aforeſaid. ——
'They returned, and reported, that they could not meet with the Governor, though
'they diligently ſought him. *Ordered*, that the ſame Members deliver it to the Go-
'vernor in the Afternoon. *P. M.* The Members appointed to preſent the Remon-
'ſtrance and Bill to the Governor, reported, that they had met with the Governor,
'at the Houſe of *Charles Spencer*, to whom they delivered their Meſſage, and alſo pre-
'ſented the ſaid Remonſtrance, with the two Bills, deſiring his Concurrence thereunto;
'and that the Governor was pleaſed to tell them, that we are no Aſſembly; and would
'receive no Papers from them as Members of Aſſembly.——That upon preſſing him to
'receive the ſaid Bills and Remonſtrance, in Hopes, as they told him, that upon deli-
'berate Conſideration, he would ſee Cauſe to alter his Opinion and Reſolution, he was
'pleaſed to tell them, *that he was a Stranger amongſt us, and to our Conſtitution*, and
'therefore had taken the Advice of his Council; who had adviſed him, that we were
'no Aſſembly in their Judgment; which was the Reaſon that he would receive no Papers
'from them as Members of Aſſembly.' *December* 1. The Houſe [after giving Orders
'for paying ſome Provincial Debts] conſidering the Governor had utterly refuſed to pro-

'ceed

'ceed with the Assembly in Legislation, or otherwise, agreed to adjourn.' —— And having ordered two of their Members to acquaint the Governor therewith, they adjourned to the *Third Month* following. —— After which we find no more Minutes of that Year. 1750. 11th Mo. 14.

Thus ended this first Attack upon the Privilege of the House, to adjourn with a less Number than a Quorum of the whole House. The Governor and Council being induced to it [as seems clear to us] by their Desire of protecting the Secretary: And this is more probable, as not only the Governor himself, but the Council and Secretary, had all acknowledged the *House* as such, since their failing to make a Quorum on the 31st of *October*, and the 1st and 14th of *November*, and continued so to do until the 25th; on which Day the Speaker signed the Warrant to the Sheriff, to take the Secretary into Custody in the County Goal, as appears above.

We find by our Minutes of the 3*d Month* 20, 1712, that the House had adjourned to the 19th, on which Day there is no Minute. ——3*d Month* 20, a Quorum appeared. —— The Governor desired their Attendance, and made a Speech to them, beginning with these Words, 'Gentlemen, I understand you failed last Night of making a House 'according to Adjournment; I am very sorry any Persons whom the Country has 'thought fit to represent them, should be so ungrateful to their Electors, who thought 'them worthy of that Trust, as to slight or neglect the Service. I understand there are 'Laws provided against those that are so wilfully negligent, I desire they may be put 'immediately in Execution: And if there be Occasion, new Writs shall forthwith be 'issued for new Elections. I am now obliged to call you thus to acquaint you, that 'there is lately come over hither a Repeal of the late Affirmation Act, *&c.*' and concludes with requiring them to proceed to Business.

On the 23d of the 11*th Month*, 1713-14. The House adjourned to the 8th of the 12*th Month*, on which Day the Minutes are, *viz.* '12*th Month* 8, *P. M.* The several 'Members herein after named, met this Day according to Adjournment of the 23d of 'last Month, *viz. Joseph Growdon*, Speaker [and Fourteen other Members] And then 'the House adjourned till Nine To-morrow Morning.

'12*th Month* 9. The several Members herein after named met this Day according to 'Adjournment [Sixteen besides the Speaker] and *J. N.* in Town, who being informed 'that the Governor was out of Town, and that the Extremity of Weather, and Sickness of some Members, hindered several from coming to Town, —— adjourned to 'the 15th Instant.——— 12*th Month* 15. The several Members of Assembly herein after 'named, met this Day according to Adjournment, *viz.* [Nineteen] besides the Speaker 'in Town; and then adjourned till Nine To-morrow Morning.——12*th Month* 16. 'The Representatives met, and being a Quorum, the Speaker assumed the Chair. *E. F.* 'and *I. S.* are appointed to wait on the Governor, and acquaint him, that by Reason 'of the Extremity of Weather, and Indisposition of several Members, they could not 'make a House on the Day of their last Adjournment (*viz.* the 8th Instant) that they 'had agreed to meet this Day, and are a House, and ready to proceed to Business, and 'desire to know whether he has any Thing further to lay before them.——The Members return and report, that they had delivered their Message to the Governor, —— 'who returned Answer, that he could not take Notice of them as a House. —— The 'House proceeded to take into Consideration the Governor's Answer to the Message sent 'him by the House. — And after a long Debate thereon,—— *Resolved*, that *J. K.* and '*T. L.* do wait on the Governor, and acquaint him, that there is a full Number of Members now assembled together, and since he does not think fit to take Notice of them 'as an House, they are inclined to adjourn till the first of *May* next, unless the Governor shall think fit to call them together sooner. — And then the House adjourned 'till Four o'Clock Afternoon.——*P. M.* The House met, and a Quorum appeared. '——*J. K.* and *T. L.* report, that they had delivered the Message, and that the Governor answered, he could not take any Notice of them as a House, and would consult his Council and Lawyers, what was proper to be done, whether for calling the 'present Members, or a new Assembly. ——The House proceeded to take into Consideration the Governor's Answer to their Message; and after some Debate thereon,—— '*Resolved*, that an Address be drawn up, and presented to the Governor, in Reply to 'the Governor's said Answer.——*Ordered*, that *D. Ll. J. S. J. B. R. J. J. K.* and '*J. R.* do prepare and draw up the said Address, and bring the same to the House 'To-morrow Morning.—And then the House adjourned till Nine To-morow Morning. '——12*th Month* 17. The House met, and a Quorum appeared. *D. Ll.* from the 'Committee, brought in the Draught of an Address to the Governor,——which after 'being read twice, was agreed to by the House, with a small Amendment,—and is as 'follows, *viz.*

To CHARLES GOOKIN, *Esq*; *Lieutenant Governor of the Province of* Pennsylvania.

'We the Representatives of the Freemen of the said Province in Assembly met the '17th Day of *February*, 1713, being much concerned that the Governor should be pre-

1750. 11th Mo. 14. ‘ vailed upon to inſiſt, that we are not a Houſe, becauſe Eighteen of us did not meet ‘ on the 8th Inſtant, do earneſtly deſire, that the Governor would be pleaſed to be in- ‘ formed, that it was not any wilful Neglect, or Slackneſs of Duty to ſerve the Public, ‘ that was the Cauſe of ſo ſmall an Appearance that Day, but Sickneſs and Extremity ‘ of Weather rendered it impoſſible for divers of us to comply with that Adjournment.

‘ Nevertheleſs Fifteen met that Day, and Eigtheen the next, and would have waited ‘ on the Governor to know his Pleaſure concerning their next Meeting; but the Go- ‘ vernor not being in Town, the Members then preſent, being a Majority of the Whole, ‘ agreed to come together at this Time, as was lawful for them to do, and hath been ‘ formerly done upon ſuch Emergency: And we hope the Governor will not be offended ‘ with us for being of this Opinion, when he fully conſiders the Conſtitution and ‘ Nature of the Legiſlative Authority of this Province.

‘ We deſire the Governor to take Notice, that the Royal Charter gave our Proprietor, ‘ and his Deputies, Power to enact Laws, by and with the Advice and Aſſent of the ‘ Freemen of this Province, or the greater Part of them; or of their Delegates, whom ‘ for the enacting of the ſaid Laws, when and as often as Need ſhould require, the ‘ Proprietor, and his Heirs, ſhould aſſemble in ſuch Sort and Manner, as to him or ‘ them ſhould ſeem beſt.

‘ Now by this Clauſe, the Law of Majority is abſolutely ſettled, as is uſual in all ‘ ſuch Aſſemblies; and, purſuant to the ſaid Power, we find the Proprietor and Free- ‘ men have conſtituted a ſtanding annual Aſſembly, to be choſen at a certain Day, require- ‘ ing their Attendance, under certain Penalties, allowing them divers Privileges *in par- ‘ ticular, beſides all the Privileges of Aſſemblies in the Queen's Dominions in general.*

‘ We know it is objected, that unleſs two Thirds of the whole Number of Repre- ‘ ſentatives meet on the Day of Adjournment, there can be no Houſe; which we can ‘ in no wiſe allow, becauſe by the Law which requires two Thirds to make an As- ‘ ſembly, it has been generally underſtood, that a leſſer Number could not act legiſla- ‘ tively: *But never doubted, till of late, that ſuch as met, were a Houſe, to adjourn from ‘ Day to Day, till they had a Quorum.* And to admit of another Conſtruction, would ‘ render the Powers of the ſaid Royal Grant, as well as our Laws, in that Point, very ‘ ineffectual, and make the Act of God the Inſtrument of doing that great Wrong to ‘ the Powers of Aſſembly, contrary to the known Maxim and Principle of Law.

‘ Therefore, we deſire that the Governor may duly conſider the Premiſes, and join ‘ with us in Legiſlation, and not ſuffer the Inſinuations of any to fruſtrate our good ‘ Purpoſes to ſerve the Governor in particular, and the Country in general.

By Order of the Houſe,

JOSEPH GROWDON, Speaker.

‘ *Ordered,* That the ſaid Addreſs be engroſſed, ſigned by the Speaker, and preſented ‘ to the Governor, by *W. D.* and *T. S.* immediately. —— The ſaid Members return, ‘ and report, that the Governor was at Dinner.——*Ordered,* That they preſent the ſaid ‘ Addreſs to the Governor after he has dined, and bring his Anſwer this Afternoon to ‘ the Houſe; and then the Houſe adjourned till Three *P. M.*——*P. M.* The Houſe ‘ met, — and a Quorum appeared. — The Members appointed to deliver the Addreſs ‘ of the Houſe to the Governor, report, that they had waited on the Governor, and ‘ offered to preſent unto him the ſaid Addreſs, according to Order; but that he refuſed ‘ to touch or receive the ſame; ſaying, that they were an unlawful Aſſembly, and bid ‘ them be gone about their Buſineſs, otherwiſe he would order the Sheriff and Conſtables ‘ to ſend them going. — *Ordered,* That a Copy of the ſaid Addreſs be publiſhed in the ‘ Coffee-Houſe.”

Upon which the Houſe, after making ſeveral Reſolves for publiſhing their Minutes, and giving Orders for Payment of the Public Debts, adjourned to the 17th Day of the *3d Month*, 1714.

‘ *3d Month* 17, 1714. The Houſe met purſuant to their laſt Adjournment, and — a ‘ Quorum appeared. *Ordered,* That *N. N.* and *T. R.* do wait on the Governor, to ‘ know whether he hath any Thing to lay before this Houſe. —— The ſaid Members ‘ return and report, that the Governor is not in Town.——The Queſtion being put, that ‘ this Houſe do adjourn to the Second of the *6th Month* next, it paſſed in the Affir- ‘ mative; and accordingly the Houſe adjourned unto the Second Day of the 6th *Month* ‘ next, *P. M.*’

‘ *6th Month* 2, 1714. Several Members here under-named met this Day purſuant to ‘ their laſt Adjournment, *viz.* [Eight] beſides the Speaker in Town, who conſidering ‘ the Governor has ſummoned all the Repreſentatives to meet To-morrow, —— agreed ‘ to adjourn till that Time.——Adjourned, *&c.*

‘ *6th Month* 3, 1714. The Houſe met purſuant to the Summons of the Governor, ‘ and proceeded to Buſineſs.’

On the Minutes of the Aſſembly elected in *October*, 1714, we find *December* 13, 1714, ‘ The ſeveral Members of Aſſembly here under-named met this Day purſuant to their

‘ laſt

'last Adjournment, *viz.* The Speaker [and Twelve Members] who considering that the 1750.
'Extremity of Weather has hindered the Arrival of several Members this Day, agreed
'to meet again To-morrow at Two o'Clock in the Afternoon; and accordingly ad- 11th Mo. 14.
'journed till Two o'Clock To-morrow, *P. M.*'

'*December* 14. The House met, and — a Quorum appeared. — A Message to the 'Governor by *N. P.* and *S. P.* that there is a competent Number of Members in the 'House, and desire to know if he has any particular Directions, as to the Qualifications 'of the Members of this House.—The said Members return and report, they had de- 'livered their Message according to Order: That the Governor made Answer, he had 'no particular Direction for Qualification of Members of Assembly, but had sent several 'Papers to be perused by this House.'

Then the Governor and Assembly went forward with Business, till the 16th, when the Speaker and Fifteen Members met, and adjourned to the Afternoon; at which Time, 'the Sixteen Members of Assembly met, pursuant to Adjournment, and received an 'Account of the Indisposition of several of their Members, who had been sent for to 'attend the Service of the House.———The said Sixteen Members last above named 'finding that there is no Likelihood at present of making a House to proceed to Legis- 'lation, agreed that *N. W. R. H. J. K.* and *N. N.* do wait on the Governor, 'and acquaint him, that *J. M.* elected to serve in Assembly for *Chester* County is de- 'ceased; that Nine other Members, detained by Sickness or other Occasions, are now 'absent; and therefore that the Governor would be pleased to give his Order for issuing 'a Writ for electing a new Member in the Room of the said *J. M.* deceased; and also 'that he would be pleased to issue his Summons, commanding all the Members to ap- 'pear in Assembly the first *Second-day* in the next Month; at which Time it is hoped 'there will be a full House, in order to proceed to Legislation.———The said Mem- 'bers return and report, they had delivered their Message.—That the Governor pro- 'mised to issue his Writ and Summons, according to the Desire of the House,—And 'then the House adjourned to the Third of the *11th Month*, 1714.'

'*11th Month* 3. *P M.* The following Members met pursuant to their last Ad- 'journment, *viz.* [Nine] who having waited for some Time, and finding the rest of the 'Members absented, by Reason [as they suppose] the Governor had not summoned the 'Members to attend as agreed last Sitting,—*Resolved*, that the Members present return 'to their several Habitations, until the Governor shall be pleased to summon the House 'to meet again. And that the City Members desire the Governor to expedite his Sum- 'mons accordingly.'

'*11th Month*, 11, 1714-15. The House met pursuant to the Governor's Summons, 'and a Quorum appeared.'

1st Month 22, 1714-15 The following Members met this Day pursuant to Adjourn- ment, *viz.* (the Speaker and Fifteen Members) who having waited till past Nine o'Clock, agreed to meet To-morrow Morning at Eight o'Clock. *1st Month* 23. The House met, and proceeded to Business.

3d Month 16, 1715. The Speaker and twelve Members of Assembly met this Day, pursuant to Adjournment; who having waited till Nine o'Clock, adjourned until Two o'Clock To-morrow Afternoon.

'The Third Day of the Week and 17th of the *Third Month*. The House met.— 'The Speaker assumed the Chair, and the Members being called, a Quorum appeared. 'The Bill for laying a Land Tax, and the new modelling of the Impost Bill not being 'compleated, by Reason of the Indisposition of the Speaker, agreed to adjourn till *Second-* 'day next; and that the Speaker be desired, with the Assistance of the Committee, to 'compleat them by that Time.———Adjourned till *Second-day* next, *P. M.*

'The Second Day of the Week and 23d of the *Third Month*. The Speaker and 'Nine Members of Assembly met this Day pursuant to Adjournment.———Who 'having waited till Eight o'Clock, agreed to meet again To-morrow Morning Nine 'o'Clock.—Adjourned till Nine o'Clock To-morrow Morning.'

'The Third Day of the Week and 24th of the *3d Month*. The Speaker and Sixteen 'Members of Assembly met this Day.—*Ordered*, that *J. K.* and *C. P.* do wait upon 'the Governor and acquaint him, that they cannot make up a Quorum to proceed to 'Legislation, and desire him to consider of what Methods he thinks proper to call the 'Members together.———The said Members return and report, they delivered their 'Message to the Governor according to Order, who made Answer, that he would send 'out his Summons to call the Members together as soon as possible.'

'The Fourth Day of the Week and 25th of the *3d Month*.——The House met. The 'Speaker assumed the Chair, and the Members being called, a Quorum appeared.'—— And notwithstanding the Assembly's Message, and the Governor's Answer of the 24th, without any Summons or Objection, proceeded on their Business, in Concurrence with the Governor.

'The Fifth Day of the Week and the 9th of the *4th Month*, 1715. The Speaker and

'Eleven

1750. 11*th Mo.* 14. 'Eleven Members of Aſſembly met purſuant to Adjournment;———who having waited 'till Eight o'Clock, agreed to meet at Eight To-morrow Morning.'

'The Sixth Day of the Week and 10th of the *4th Month*.—The Houſe met, the Speaker 'aſſumed the Chair, and the Members being called, a Quorum appeared,'—and engaged immediately in Buſineſs.

On the 29th of *October*, 1715, we find an Adjournment to the Second Day of *11th Month* following; but on that Day there is no Entry of any Meeting of the Houſe, or any of the Members; ſo that here ſeems to be a Defect in the Journals of the Houſe.—'On the Firſt of the *3d Month*, 1716, the Houſe met, in Purſuance of the Governor's 'Summons, and a Quorum appeared; *Ordered*, that *E. B.* and *T. H.* do wait on the 'Governor, and acquaint him, that there is a Quorum of the Houſe met, and that 'they will wait on him to receive his Commands To-morrow Morning about Nine 'o'Clock; to which Time the Houſe was adjourned. Adjourned to Nine o'Clock To-'morrow Morning,'

'*3d Month* 2. The Houſe met, and a Quorum appeared.———The Governor ſent a Meſſage to the Houſe, beginning with theſe Words, *viz.*

'*Gentlemen*, By what Miſtake or Misfortune you miſſed your Adjournment, I ſhall 'not enquire:———You are now reſtored to your Privileges as at firſt; and I am ready 'to join with you, to enact ſuch Laws, as may be for the Intereſt and Tranquility of 'the Province, *&c.*

We are now at the Concluſion of Governor *Gookin's* Adminiſtration, and at an End alſo of all Diſputes with the Repreſentatives of this Province, concerning the Power of adjourning themſelves, when met together in a leſſer Number than a Quorum of the whole Houſe. A Succeſſion of better Times has hitherto removed all Difficulties on that Head, whenever by unavoidable Accidents, or the Negligence or Perverſeneſs of their own Members, the Houſe have been unable to make a Quorum, either upon their own Adjournments, or when called together by the Governor's Writs, as we proceed to make appear.

'On the 27th of the *1ſt Month*, 1727, the following Members met according to 'Adjournment [from the 10th of *December* preceding] *viz. David Lloyd*, Speaker [and 'Eleven Members] but a Quorum not appearing at Nine o'Clock at Night, Three of 'the Members preſent undertook to acquaint the Governor thereof. And then they 'agreed to meet To-morrow at Two o'Clock in the Afternoon.'

'*1ſt Month* 28. The following Members of Aſſembly met this Day [*viz.* the Speaker 'and Fourteen Members] who having waited ſome Time, agreed to meet again To-'morrow at Two o'Clock in the Afternoon.'

'*1ſt Month* 29. The Houſe met, and a Quorum appeared.———*Ordered*, That '*E. F. &c.* wait upon the Governor with the following Meſſage in Writing, *viz.* 'The Houſe of Repreſentatives do humbly certify to the Governor, that by Reaſon of 'the great Sickneſs in the Country, and ſudden Fall of Rain, ſuch a Number of the 'Repreſentatives, as are uſually required to proceed in Legiſlation, could not meet to-'gether before this Day; and that a ſufficient Number of the Repreſentatives are now 'with the Speaker met together, and are ready to go upon Buſineſs, and deſire to know 'if the Governor has any Thing to lay before them.

D. Ll. Speaker.'

'The ſaid Members return and report, that they delivered the ſaid Meſſage to the 'Governor, and the Governor was pleaſed to ſay, he would ſend a Meſſage in Writing 'in Anſwer thereto immediately.——The Houſe being informed that *F. R.* a Mem-'ber of Aſſembly—is deceaſed; *Reſolved*, that the Speaker iſſue an Order to the Gover-'nor's Secretary,—requiring him forthwith to iſſue a Writ to the Sheriff, for electing 'another Perſon to ſerve in his Stead, which was done accordingly. The Governor's 'Secretary delivered a Letter to the Speaker from the Governor, intimating that it being 'then late, he choſe to defer laying any Thing before the Houſe till To-morrow Morn-'ing. Adjourned till To-morrow Morning.

'*1ſt Month* 30. *Ordered*, that *T. T.* and *J. K.* wait upon the Governor and ac-'quaint him, that a Quorum of the Repreſentatives being now met together, are un-'willing to proceed upon Buſineſs before they receive his Commands,—who return 'and report,—that the Governor was pleaſed to ſay, he had already ſent a written Meſ-'ſage by his Secretary to the Houſe.—The Governor's Secretary delivered a written 'Meſſage to the Houſe, which [as far as relates to their Adjournment] is as follows, *viz.* 'Mr. Speaker, and Gentlemen of the Houſe of Repreſentatives,—the Weather and 'Floods having prevented your meeting on the 27th Inſtant, purſuant to your laſt Ad-'journment, I thought fit notwithſtanding, as ſoon as a ſufficient Number to make a 'Houſe were in Town, to enable you, as I now do, to act again; and although I un-'derſtand you are ſtill, for the Reaſons that have been mentioned, much ſhort of being 'full, yet I cannot decline laying before you a Matter of vaſt Importance to the whole 'Country, which requires all our Attention, and your ſerious Application.'

As

1750. 11th Mo. 14. As the *Newcastle* Members deserted the Service of the Country in the Year 1701, for fear of being overvoted; so again we find that Eight of the Representatives chosen in *October*, 1727, after having joined with the other Members in several Sessions, finding themselves unable to procure a Majority of Votes, deserted the House, in Hopes by that Means to leave the sitting Members without any legal Authority, and force them to comply with their Demands; but the Absurdity was too apparent, as it must always subject the Majority of the House to any Number exceeding one Third of the Whole: And therefore, as the Proprietor himself had decided the Powers of a Majority in the first Instance, so in the other the Governor concurred with the House, '*That in this Case of Necessity, the sitting Members were well warranted by the Royal Charter, as well as by our own Laws*, to enter upon the Business of the Province; which they entered upon accordingly, and discharged their Duty to their Constituents through the remaining Part of the Year; as we now proceed to shew from the Minutes of the House.

'On the 20th of the 2*d Month*, 1728, one of the Members being absent with the 'Leave of the House, and another of their Members deceased, Eight Members for the 'City and County of *Philadelphia* deserted the House; who being repeatedly applied 'to, and sent for, to attend the Service of the House, without Effect, the sitting Mem-'bers agreed to meet in the Afternoon; at which Time being informed by sundry of 'the Members then present, that they had spoke with some of the said absent Members, 'and understood that they did not design to give their Attendance in the House; there-'upon it was moved and resolved by the sitting Members, that the Governor be ac-'quainted with the Interruption the public Business has met with, by the unwarrant-'able Conduct and wilful Absence of the said Eight Members; and request that the 'Governor will be pleased to summon all the Members of the present Assembly of *Penn-'sylvania*, to meet at such Times as he shall think proper, after his Return from his 'Attendance at the General Assembly of the *Three Lower Counties*. And the Speaker 'and sitting Members having continued in the House until Eight o'Clock at Night, 'and having no farther Account from the aforesaid Eight Members, a Representation 'was drawn up according to the above Resolve, and being approved of, *A. H. J. L. &c.* 'were ordered to wait on the Governor, and present the same.—And then the Mem-'bers separated.'

On the 14th of the 3*d Month* a Majority of Representatives met pursuant to the Governor's Summons.——At which Time a Member being chosen, took his Seat in the House, in the Room of the Member deceased.—The Governor sent to the House the Returns of the Writs of Summons.—The House sent their Sergeant at Arms to the Eight Members, to require their Attendance immediately on the Service of the House; who returned and reported, 'that the said absent Members refused to come to attend the 'Service of the House. Whereupon it was *Ordered*, that *A. H. &c.* wait on the Go-'vernor, and acquaint him, that a Majority of the Representatives being met according 'to his Summons, desire to know if he has any Thing to lay before them; and that 'they had agreed to adjourn till To-morrow Morning. And then the House adjourned 'till To-morrow Morning.'

'3*d Month* 15th, 1728. The Representatives met this Day, the Speaker assumed 'the Chair, and the House was called over [absent the Eight Members]———The 'Members appointed last Night on a Message to the Governor, report, that they de-'livered their Message according to Order, and that the Governor answered, that what 'he had to lay before the House, should be communicated either by Message or Write-'ing, when the House was ready to receive it.———A Message from the Governor, by 'his Secretary, desires that the Speaker and House will forthwith give their Attendance 'on the Governor, now sitting in Council at the House of *J. L.* to consider of some 'Matters of great Importance to the Welfare of this Province.———Then the House 'taking into Consideration the Proceedings of those Eight Members, who, by absent-'ing themselves, would put a Stop to the public Business of this Province;———and 'after some Debate thereon, a Motion was made, and the Question put, that the Se-'venteen Members present, being a Majority of the whole Representative Body of this 'Province, have the Power of an Assembly, and may safely proceed to Legislation, ac-'cording to the Royal Charter, granted to the Proprietor and People of *Pennsylvania*, 'and according to the Laws of this Province.—Carried in the Affirmative, *N. C. D.*

'Then the Speaker and the House went to wait on the Governor accordingly, and 'being returned, the Speaker resumed the Chair and reported, that the Governor had 'made a Speech to this House, a Copy of which was presented to him;' and the same [as far as it relates to the Majority of the House] is as follows;

'Mr Speaker, and Gentlemen of the House of Representatives,——Though I have 'resolved never to interfere with the Proceedings of the House of Representatives, in 'what concerns their Privileges, *of which you are most immediately the Judges*; yet the 'last Breaking up of the House has given me no small Uneasiness; I shall, notwith-'standing, on your present coming together again, by my Summons, recommend it to

1750. 11th Mo. 14. 'you all, to fall on the moſt pacific Meaſures that may be thought of for making up 'this Breach, with a due Regard *to the Rights and Privileges of the Houſe, which I hope* 'you will all be equally careful to ſupport and maintain.'

The Houſe, after reading the Governor's Meſſage, adjourned to the Afternoon; at which Time the Speaker ſigned a Warrant for the Sergeant at Arms, to give Notice to the abſent Members forthwith to give their Attendance.———But though the Sergeant at Arms had given Notice accordingly,—the ſaid Members not appearing, the Houſe proceeded to take into their Conſideration the Governor's Speech.———'*Ordered*, that '*A. H.* and *J. L.* be a Committee to draw up an Anſwer thereto.——And then the 'Houſe adjourned till To-morrow, *P. M.*

'3*d Month* 16th. The Members appointed to draw up an Addreſs to the Governor, 'in Anſwer to his Speech, brought in the ſame.—Which was read, and after ſome 'Debate thereon, and ſome Additions and Alterations being propoſed to be made there-'to by the Houſe: *Ordered*, that *A. H. J. L.* and *W. W.* be a Committee to draw 'up the ſame accordingly, in order to lay before the Houſe To-morrow Morning.— 'Then the Houſe adjourned till To-morrow Morning.'

'3*d Month* 17*th*, 1728. The Houſe met [abſent the Eight Members] Upon Motion, 'that ſome Proviſion be made for defraying the Charges of *Indian* Treaties,—purſuant 'to a Reſolution of the Houſe, of the 27th of *January* laſt, the Queſtion was thereupon 'put, that an Order be iſſued on the Provincial Treaſurer, for the Sum of *One Hun-'dred Pounds*, payable to the Honourable *Patrick Gordon*, Eſq; for the Purpoſes afore-'ſaid.———Carried in the Affirmative, *N. C. D.*'

'The Committee appointed to draw up an Addreſs to the Governor, delivered in the 'ſame accordingly, which being read by Paragraphs, and conſidered, and ſome ſmall 'Amendments made,——a Motion was made, and the Queſtion put——that the Ad-'dreſs, as now amended, be tranſcribed and ſigned by the Speaker, in order to be ſent 'to the Governor?——Carried in the Affirmative, *N. C. D.*——Then the Houſe ad-'journed till To-morrow, *P. M.*———*P. M.* The Houſe met, *&c.* [abſent the Eight 'Members] The Addreſs being tranſcribed and ſigned by the Speaker, is [as far as relates 'to our preſent Enquiry] as followeth, *viz.*

'*May it pleaſe the* GOVERNOR,

'We are moſt ſenſibly affected with the Uneaſineſs given the Governor by the late 'Conduct of ſome Members of our Houſe, and the more ſo, becauſe of the unhappy 'Delay it has given to the public Buſineſs; the Diſpatch of which is ſo neceſſary, and 'has been ſo heartily recommended to us by the Governor, with repeated Aſſurance of 'his ready Concurrence, in whatever may be for the Good of the People of this Pro-'vince.

'We do with Gratitude acknowledge the Governor's Juſtice, *in declining to interfere* 'with the Proceedings of the Houſe of Repreſentatives in what concerns their Privileges; 'and hope ſuch a Conduct will always meet with the Acknowledgments due to a Re-'ſolution ſo juſt and honourable, in not taking the Advantage of the Weakneſs or Wil-'fulneſs of ſuch of the ſaid Members, as would rather give up our moſt valuable Pri-'vileges to their own Reſentments, than ſuffer themſelves to be governed by the moſt 'juſt and well known Rules of Law and Reaſon, in being concluded by a Majority of 'double their Number. But being now met in Obedience to the Governor's Summons, 'upon Conſideration of what he has been pleaſed to communicate to us, we think it 'our indiſpenſable Duty to do every Thing in our Power, to prevent the fatal Conſe-'quences that may attend any Miſunderſtanding with the *Indians*.

'It would have been very agreeable to us, to have had the Aſſiſtance of the ſaid 'Members, but as that cannot be had, we ſhould hold ourſelves accountable for all 'the Evils that may attend any Neglect on our Part, if we did not apply ourſelves with 'all the Care and Zeal we are capable of, to take ſuch Meaſures as may reſtore the Pro-'vince to its former Peace and Security. It is therefore of Neceſſity, that we now enter 'upon Buſineſs; and as we conceive ourſelves well warranted by the Royal Charter 'granted to the Proprietor and People of this Province, as well as by our own Laws, 'in proceeding with ſo great a Majority of the Repreſentatives of the Freemen of *Penn-'ſylvania*, ſo we hope the Governor will be of the ſame Opinion; and that the Law of 'Majority which takes Place both in the common and civil Law, will fully juſtify the 'Proceedings of this Houſe, who have no other View but to preſerve a peaceable People 'from the Invaſions of a cruel and unreaſonable Enemy, and to ſupport a Government 'preferable, as we believe, for the great Privileges enjoyed under it, to any other in 'America.'

'*Ordered*, That *J. K. B. J. W. W.* and *P. T.* preſent the ſame to the Governor, 'who return and report, that they delivered the ſame according to Order, and that the 'Governor was pleaſed to anſwer, *that he concurred with the Opinion of the Houſe in the* '*ſaid Addreſs*.'

We

We now come to the last Instances recorded in the Journals of the House, *viz.* 1750.

'The 28th of *April*, 1729. The following Members met according to Adjournment, *viz.* 11*th Mo.* 14.
'Sixteen, but a Quorum not appearing, the Members met with the Speaker agreed to
'meet again To-morrow Morning.'

'The 29th of *April*, 1729. A Quorum not appearing, the Members met with the
'Speaker agreed to meet again at Three o'Clock this Afternoon.———*P. M.* The
'House met, the Speaker assumed the Chair, and the Members being called, a Quo-
'rum appeared.———*Ordered*, that *W—M*, *J—K*, *A—H* and *J—P*—wait on the
'Governor with the following Message, *viz.*

May it please the GOVERNOR,

'The House of Representatives do humbly certify to the Governor, that Yesterday
'being the Time to which this House was last adjourned, sundry Members were pre-
'vented of coming to Town, by Reason of the great Floods; and at the Time when
'the Members separated Yesternight no Adjournment was made, but that a sufficient
'Number are now met with the Speaker, and are ready to proceed upon Business with
'the Governor's Approbation.

Signed by Order of the House,

April 29, 1729. *DAVID LLOYD*, Speaker.'

'The Members appointed to carry the Message of the House to the Governor, return
'and report that they had waited on the Governor, who said for Answer, that he was
'pleased that the House was met, and approved of their proceeding to Business, and
'recommended Unanimity and Dispatch to the House in all their Proceedings.'

The 5th of *May*, 1729. The Speaker and Fifteen Members met, but a Quorum not appearing, agreed to meet To-morrow Morning.

On the 6th of *May* the House met; the Speaker assumed the Chair, and the Members being called; a Quorum appeared, and the House immediately proceeded to Busi-ness; and the same Day received a Message from the Governor concerning the Paper-Money Bill then under Consideration, without any Objection to their not having a full House on the preceding Day.

And since that Time, we do not find any Instance of the Assembly's failing to meet in a full House on the Days to which they have adjourned, or on which they have been summoned by the Governor's Writs, till the Time of our present Meeting.

All which is submitted, by

ISRAEL PEMBERTON, GEORGE ASHBRIDGE,
JOHN SMITH, JAMES WRIGHT,
JOSEPH FOX, JOHN WRIGHT."
JOSEPH HAMTON,

Resolved, N. C. D. That this House, by their Charters, and the Laws of this Province, have an undoubted Right to sit upon their own Adjournments, besides all the Privileges of Assemblies in the King's Dominions in general.

Resolved, N. C. D. That the Majority of this House having met upon the Day of their Adjournment, and from thence continued their Adjournments till a Quorum appeared, has an undoubted Right so to do, and at this Time have all the Powers of an Assembly of this Province, and are ready to proceed to Business.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Ordered, That *Israel Pemberton* and *William Clymer* wait on the Governor with the following Message, *viz.* 11*th Mo.* 15.

May it please the GOVERNOR,

A Majority of the Members of this House met on the 7th Instant; the next Day a Quorum appeared, and being now again met in a full House, are ready to proceed on Business, and to receive any Thing the Governor may be pleased to lay before us. A Message from the Assembly to the Governor.

Signed by Order of the House,

ISAAC NORRIS, Speaker."

A Petition from sundry Inhabitants of the County of *Philadelphia*, setting forth, that a pernicious Custom of shooting Guns, and other Fire-arms, by Way of Salutation in the Night-time at the Commencement of the Year, has been introduced into this Province by the *Germans*, and very much prevailed among Servants, Negroes, *&c.* whereby numerous Disorders have been caused and promoted, as Revellings, excessive Drinking, and Maiming by the Bursting of overloaded Guns; that lighted Wadding has also been thereby frequently thrown into Houses, and upon Barns, *&c.* and many other Mischiefs arisen, to the great Annoyance of the peaceable Inhabitants; that in some Places, malicious Persons have taken this Occasion of terrifying, and injuring those to whom they had ill Will, by firing, in a clandestine Manner, Bullets, Stones, *&c.* into their Houses, of which there are several late Instances; and therefore the Petitioners pray, that the House would take this pernicious growing Evil into Consideration, and make such

Provision

1750. Proviſion for the future Prevention thereof, as ſhall ſeem neceſſary; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

11th Mo. 15. The Gentlemen appointed to wait on the Governor, return and report, that they delivered the Meſſage of the Houſe according to Order; and that the Governor, after reading the ſame, was pleaſed to ſay, he would ſend an Anſwer in a Quarter of an Hour, if the Houſe would wait ſo long.

The Governor ſent down the following Meſſage to the Houſe in Writing, *viz.*

Mr. SPEAKER and GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'BY what Miſtake or Misfortune you miſſed your Adjournment, I ſhall not enquire; you are now reſtored to your Privileges as at firſt, and I am ready to join with you to enact ſuch Laws as may be for the Intereſt of the Province.

'What the Service of the Public requires, will naturally fall under your Notice; I ſhall only at preſent recommend to you Unanimity and Diſpatch in all your Proceedings; and what further may occur, ſhall at a proper Time be communicated by Meſſage.

Jan. 15, 1750. *JAMES HAMILTON.*'

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Report of the Committee, relating to the Buſineſs recommended by the laſt Aſſembly to the preſent, was read;

And the Minutes of the two laſt Aſſemblies, relating to the Bill for regulating the Probate of Wills, were read.

Ordered, That *Hugh Evans*, *Joſeph Fox*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper*, *John Wright* and *Hermanus Alrichs* be a Committee to prepare and bring in a Bill, to regulate the Probate of Wills within this Province.

Ordered, That *Iſrael Pemberton*, *John Smith*, *Edward Warner*, *Joſeph Trotter*, *William Clymer*, *Joſeph Fox* and *Evan Morgan* be a Committee to prepare and bring in a Bill for regulating the Nightly Watch within the City of *Philadelphia*.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 16. The Houſe taking into Conſideration the Petitions relating to Public Houſes, recommended to this Aſſembly by the preceding,

Ordered, That the Clerk acquaint the Treaſurer, that the Houſe requires his Attendance To-morrow Morning, with the Secretary's Liſts of Public Houſe Licences for the preſent Year.

A Petition from a Number of Inhabitants of *York* County, was preſented to the Houſe and read, ſetting forth, that *Hans Hamilton*, Sheriff of the ſaid County, did not open the laſt Election till near Two o'Clock in the Afternoon, which made many of the People very uneaſy; that his Party, the *Marſh-Creek* People, gathered about the Election Houſe, to give in their Tickets, and would not ſuffer the *Dutch* People and other Friends to come near the Houſe, but did what they could to keep them off with Clubs, ſo that the *Dutch* were obliged to do the beſt they could, or elſe go Home without voting; and being the moſt in Number, they drove the *Marſh-Creek* People from the Houſe, and when they had ſo done, they came in a peaceable Manner to give in their Votes; but when the Sheriff ſaw that his Party was maſtered, he locked up the Box, and would not ſuffer the Inſpectors to take any more Tickets, which made the *Dutch* People angry, and ſtrive to break into the Houſe; and then the ſober People deſired the Sheriff to continue the Election, but he would not, and went away out of a back Window; ſeveral of the Inſpectors going with him; and then the Freeholders deſired the Coroner to carry on the Election, which he did carefully and juſtly; and afterwards the Sheriff was aſked to come and ſee the Votes read, and an Account taken of them, but he refuſed: And praying that the Houſe would take the Premiſes into Conſideration, and do therein as to their Wiſdom ſhall ſeem meet. *Ordered to lie on the Table.*

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Petition from a Number of Inhabitants of *Lancaſter* County to the late Aſſembly, for a Law to enable them to build a Workhouſe, *&c.* was read;

Reſolved, That Leave be given to the Members for the County of *Lancaſter*, to bring in a Bill for that Purpoſe.

And the Repreſentatives for *York* County requeſting that their County might be included in the ſaid Bill, the ſame was agreed to by the Houſe.

The Houſe taking into Conſideration the Petitions relating to Ferries,

Ordered, That *Joſeph Trotter*, *William Clymer*, *Iſrael Pemberton*, *Abraham Chapman*, *George Aſhbridge*, *Calvin Cooper*, *John Witherow* and *Joſeph Armſtrong* be a Committee to inſpect the Laws relating to Ferries, and report thereon to the Houſe.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 17. The Treaſurer attending according to Order, was called in, and laid before the Houſe the Liſts he had received from the Secretary, of the Names of the licenced Public Houſekeepers in this Province. He alſo repreſented to the Houſe, that it is neceſſary ſome

Perſon

Person should be appointed to take Care of collecting the Excise for *Bucks* County, the present Collector being through Indisposition rendered incapable of that Service. And then withdrew. 1750. 11th Mo. 17.

The Members for *York* County, with the Leave of the House, brought in a Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, in the Province of *Pennsylvania*; which was read the first time, and ordered a second Reading.

The Petition from sundry Inhabitants of *York* County, relating to the late Election there, was again read.

Ordered, That *Israel Pemberton* and *John Smith* deliver the said Petition to the Governor, and acquaint him that the House recommends the same to his Consideration.

A Bill for the better discovering of Frauds, and also for the Examination of Witnesses in *Perpetuam Rei Memoriam*, and to authorize the Examination of Witnesses living out of the Province of *Pennsylvania*, was brought in with the Leave of the House, and read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from sundry Overseers of the Highways of the County of *Philadelphia*, setting forth, that by the Laws of this Province the Overseers of the Highways are obliged to keep them in good Repair, by the Labour of the Inhabitants of the several Townships, without any Provision made to supply Materials for their Amendment, except what may be found within the Limits of such Highways, and without Authority in the Overseers to provide Means of transporting them from one Place to another, where they may be useful: That though the Laws relating to the Highways might have been suitable to the Infant State of the Country, when Land and Timber were of small Value, and our Roads little frequented; yet of late Years, by the vast Increase of Inhabitants and Carriages of various Kinds, Circumstances are so greatly changed in all these Respects, especially near the City of *Philadelphia*, that it is impossible to find Materials, such as Wood, Stones and Gravel, sufficiently firm and lasting, to make the Roads passable in Winter-Time, without taking them from the neighbouring Plantations (which the Petitioners are advised is unlawful) and without carrying them to the Roads by convenient Carriages, such as the Overseers, without bearing the Expence themselves, are not authorized to procure. That by this Means the Labour of the Inhabitants on the Roads is much augmented, the Roads are generally impassable in the Winter and Spring, and sometimes the Overseers are indicted and put to great Expence for not maintaining them in good Order, when they have used their utmost Diligence to repair them. Therefore the Petitioners, in Behalf of themselves and others, pray the House would take the Premises into Consideration, and take such Measures for remedying the same, as to their Wisdom shall seem meet; was presented to the House and read, and 11th Mo. 18.

Ordered to lie on the Table.

The Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, in the Province of *Pennsylvania*, was read a second time, and ordered to be transcribed for a third Reading.

The Gentlemen appointed to deliver the Petition from *York* County to the Governor, with the Message of the House, report, they waited on the Governor and delivered the same according to Order, and that the Governor was pleased to say, he would consider it, and do what should appear necessary thereupon.

It being moved, that there is a Part of the State-house Ground, purchased by the Province, for which Conveyances have not yet been made;

Ordered, That the Superintendants of the State-house enquire how that Matter stands, and do what may be necessary therein.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Petition against firing Guns, *&c.* on the Eve of the Commencement of the Year, *&c.* was again read, and considered, and referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Treasurer having acquainted the House, that the Collector of the Excise for *Bucks* County, is become incapable of executing that Office; 11th Mo. 19.

Ordered, That the Treasurer give Notice to the said Collector, that, if his Health will permit, he do immediately attend this House with his Accounts.

The Petition against firing Guns, *&c.* on the Eve of New-Year's Day, was again read, and considered;

Ordered, That *Joseph Trotter*, *Joseph Fox*, *Joseph Gibbons*, *Joseph Hamton*, *James Webb*, *John Wright* and *Hermanus Alrichs* be a Committee to prepare and bring in a Bill for the Purposes in the said Petition mentioned.

The Governor sent down a Message to the House in Writing, with several Letters and

1750. 11*th Mo.* 19. Papers therein referred to, which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I Received by the laſt Poſt the Letter herewith laid before you, from his Excellency the Governor of *New-York*; and as it contains Matters of very great Importance to the Inhabitants of all His Majeſty's Colonies on this Continent, and to none more than thoſe of this Province, I muſt deſire you to take the Contents thereof into your moſt ſerious Conſideration.

'I am pleaſed to find by a Letter from Mr. *Croghan*, of the Sixteenth of *November*, from *Ohio*, which came to my Hands two Days ago, that all our *Indian* Allies in thoſe Parts, as yet, remain true to their Engagements with us; and that ſome of them are deſirous of removing nearer to their Brethren the *Engliſh*; with a View, no doubt, of receiving Protection from them, againſt the *French*, with whom they expect to be at War in the Spring; but as that Letter contains ſeveral Matters, worthy your greateſt Attention, I chooſe to lay the Whole of it before you, without any Comments of my own, which I am perſuaded would be unneceſſary at this Time.

'The Money voted at your laſt Seſſions as a Preſent to the *Indians* at *Ohio*, has been laid out to the beſt Advantage, in Goods proper to the Occaſion: Great Part of them has been ſome Time ſince tranſported over *Saſquehannah*, and there ſecurely lodged, in order to their being carried more early in the Spring, to the People for whom they are deſigned; the Remainder is yet in Town, for want of Carriages to tranſport them thither, but ſhall be ſent up as ſoon as the Roads will permit. But as all the Money given for this Service, was inveſted in Goods, and no Proviſion made, that I know of, to pay the Charge of their Conveyance to *Ohio*, I muſt deſire you to think of this, and provide accordingly. The Sum demanded for their Tranſportation, is *Two Hundred and Fity Pounds*, which appears to me to be very high, but by all the Enquiry I have been able to make, I do not find I can get it done for leſs, by any Perſons in whom I can place a Confidence.

'I have nothing to add, but to aſſure you, that whatever you enable me to do at this difficult Seaſon, ſhall be performed to the beſt of my Judgment, with a ſtrict Regard to the Intereſt of the Province.

January 19, 1750. *JAMES HAMILTON.*"

And the farther Conſideration of the Governor's Meſſage was referred to the enſuing Week.

Adjournment 11*th Mo.* 21. *Poſt Meridiem*

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The Houſe met purſuant to their Adjournment.

The Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, in the Province of *Pennſylvania*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *John Wright* and *James Webb* carry up the ſame to the Governor, and deſire his Concurrence.

Adjournment 11*th Mo.* 22.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait on the Governor with the Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, in the Province of *Pennſylvania*, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would conſider it.

A Bill for Amendment of the Law relating to the Probate of Wills within this Province, was read the firſt time, and ordered a ſecond Reading.

A Bill for the more effectual preventing Accidents that may happen by Fire, and for ſuppreſſing Idleneſs, Drunkenneſs and other Debaucheries, was read the firſt time, and ordered a ſecond Reading.

A Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the ſaid City, and for raiſing of Money on the Inhabitants of the ſaid City, for defraying the neceſſary Expences thereof, was read the firſt time, and ordered a ſecond Reading.

The Petition of the Overſeers of the Highways was again read, and conſidered;

Ordered, That *Evan Morgan*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *John Wright* and *Joſeph Armſtrong* be a Committee to inſpect the Laws now in being, relating to Roads, and bring in a Bill for remedying the Inconveniences complained of by this Petition, with ſuch other Proviſions as ſhall be neceſſary for the more effectual repairing, and amending the Highways.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o'Clock, *P. M.*

The Bill for the better diſcovering of Frauds, and alſo for the Examination of Witneſſes in *Perpetuam Rei Memoriam*, and to authorize the Examination of Witneſſes living out of the Province of *Pennſylvania*, was read the ſecond time, and after a conſiderable Debate thereupon, it was *Referred to further Conſideration.*

Then

Then the House adjourned to Ten o'Clock To-morrow Morning. 1750. 11th Mo. 23.

The Governor's Message was again read, and considered, with the several Papers accompanying it; and the same not requiring an immediate Answer, was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

A Letter from the Proprietor, with sundry Papers relating to the Repeal of the Acts concerning the Importation of Convicts, &c. were laid before the House, and read.

A Petition from sundry Inhabitants of the City of *Philadelphia*, setting forth, that with the Numbers of People, the Number of Lunatics or Persons distempered in Mind, and deprived of their rational Faculties, hath greatly encreased in this Province: That some of them going at large, are a Terror to their Neighbours, who are daily apprehensive of the Violences they may commit; and others are continually wasting their Substance, to the great Injury of themselves and Families, ill-disposed Persons wickedly taking Advantage of their unhappy Condition, and drawing them into unreasonable Bargains, &c. That few or none of them are so sensible of their Condition, as to submit voluntarily to the Treatment their respective Cases require, and therefore continue in the same deplorable State during their Lives; whereas it has been found by the Experience of many Years, that above two Thirds of the Mad People received into *Bedlam* Hospital, and there treated properly, have been perfectly cured. And farther representing, that though the good Laws of this Province have made many compassionate and charitable Provisions for the Relief of the Poor, yet something farther seems wanting in favour of such, whose Poverty is made more miserable by the additional Weight of a grievous Disease, from which they might easily be relieved, if they were not situated at too great a Distance from regular Advice and Assistance; whereby many languish out their Lives, tortured perhaps with the Stone, devoured by the Cancer, deprived of Sight by Cataracts, or gradually decaying by loathsome Distempers, who, if the Expence in the present Manner of nursing and attending them separately (when then they come to Town) were not so discouraging, might again, by the judicious Assistance of Physic and Surgery, be enabled to taste the Blessings of Health, and be made in a few Weeks useful Members of the Community, able to provide for themselves and Families. And therefore praying, that the House would take the Premises into Consideration, and erect a small Provincial Hospital, for the Reception and Cure of Lunatics, and sick or distempered Poor, and appoint Persons to govern the same, with Power to receive the charitable Benefactions of good People towards enlarging and supporting it; was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for Amendment of the Law relating to the Probate of Wills within this Province, was read a second time, and considered, and the farther Consideration thereof referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Bill for amending the Law relating to the Probate of Wills; and after a considerable Debate, it was recommitted for Amendment to the Committee who brought in the same. 11th Mo. 24.

Ordered, That *Israel Pemberton* be added to the said Committee.

The Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof; was read a second time, and considered, and the farther Consideration thereof adjourned to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House proceeded in considering the Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof; and having gone through the same, it was ordered to be transcribed for a third Reading. *Post Meridiem.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for the more effectual preventing Accidents that may happen by Fire, and for suppressing Idleness, Drunkenness, and other Debaucheries, was read a second time, and considered; and after some Time spent therein, it was recommitted to the Committee that brought in the same, for Amendment. 11th Mo. 25.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Bill for amending the Law relating to the Probate of Wills, was again read, and considered, and ordered to be transcribed for a third Reading. *Post Meridiem*

The Committee appointed to inspect the Laws relating to Highways, report, that they have done the same, and find sufficient Provisions therein to answer every necessary Purpose at present in the Counties of *Bucks*, *Chester*, *Lancaster*, *York* and *Cumberland*, and that if duly executed, there will be no Need of any further Powers to be given to the Overseers of the Highways in those Counties, in order to enable them to keep the same in good Repair: But that, if some Amendment of those Laws is thought necessary for the

1750. the County of *Philadelphia* particularly, they are of Opinion that the Members of that County may have Leave to bring in a Bill.

11th Mo. 25. Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 26. A Bill for amending the King's High Roads in the County of *Philadelphia*, was with the Leave of the Houſe brought in, and read the firſt time, and ordered a ſecond Reading.

The Bill for amending of the Law, relating to the Probate of Wills within this Province, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

The Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the ſaid City, and for raiſing of Money on the Inhabitants of the ſaid City for defraying the neceſſary Expences thereof, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *William Clymer* and *Joſeph Fox* do carry up the Bills to the Governor, and deſire his Concurrence thereto; and acquaint him, that the Houſe deſires to know when they may expect his Reſult on the Bill that has been ſome Time before him.

The Bill for the more effectual preventing Accidents which may happen by Fire, and for ſuppreſſing Idleneſs, Drunkenneſs and other Debaucheries, was again read, and referred to further Conſideration.

The Gentlemen return and report, that they waited on the Governor, and delivered the Bills and Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would give them all the Diſpatch he could; and that he would ſend the Bill that had been ſome Time under his Conſideration, to the Houſe, the Beginning of the next Week.

Adjournment Then the Houſe adjourned to the *Second-day* of the next Week, at Three o'Clock, *P. M.*

11th Mo. 28. The Houſe met purſuant to their Adjournment.

Poſt Meridiem The Bill for the more effectual preventing Accidents that may happen by Fire, and for ſuppreſſing Idleneſs, Drunkenneſs and other Debaucheries, was again read, and conſidered, and referred to further Conſideration To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

11th Mo. 29. A Bill for erecting Houſes of Correction, and Work-houſes, in the Counties of *Lancaſter*, *York* and *Cumberland*, within this Province, was read the firſt time, and ordered a ſecond Reading.

The Bill for the more effectual preventing Accidents which may happen by Fire, and for ſuppreſſing Idleneſs, Drunkenneſs and other Debaucheries, was again read, and conſidered, Paragraph by Paragraph, and ordered to be tranſcribed for a third Reading.

The Bill for amending the King's High Roads in the County of *Philadelphia*, was read a ſecond time, and conſidered, and after ſome Debate,

Referred to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor, by his Secretary, ſent down the Bill for explaining and corroborating the Boundary Line between the Counties of *York* and *Cumberland*, with a propoſed Amendment of the Word *Aſcertaining* inſtead of *Corroborating*, in the Title of the ſaid Bill, which was agreed to by the Houſe.

The Petition from a Number of the Inhabitants of *Philadelphia*, for the Erecting of a Provincial Hoſpital for Lunatics, *&c.* was read a ſecond time;

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpoſes mentioned in their Petition.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow-Morning.

11th Mo. 30. A Petition from a great Number of the Inhabitants on the Weſt-ſide of the River *Schuylkill*, ſetting forth, that the many and great Diſadvantages they labour under for Want of a Bridge over that River, put ſome of the Petitioners on propoſing a Subſcription for building one by voluntary Contributions, which they made ſome Progreſs in, and have good Reaſon to conclude that very large Sums of Money might be raiſed in that Way; but to compleat the Work, the Aid of the Legiſlature will be neceſſary: And therefore praying, that the Houſe would appoint proper Perſons to view and conſider of the fitteſt Place for erecting a Bridge over the ſaid River, to make an Eſtimate of the Expence thereof, and to collect and take the Accounts of the Subſcriptions, in order to be laid before the Houſe; and that the Houſe would take ſuch farther or other Meaſures for promoting thereof, as to their Wiſdom ſhall ſeem meet; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Houſe being informed that *James Morris*, one of the Truſtees of the Loan-Office, is lately deceaſed;

Reſolved, That *Charles Norris* be a Truſtee of the Loan-Office, in the Room and Stead of *James Morris*, deceaſed.

The

The Bill for the more effectual preventing Accidents which may happen by Fire, and for suppressing Idleness, Drunkenness, and other Debaucheries, being transcribed, was read a third time; 1750. 11th Mo. 30.

Resolved, That the Bill do pass.

Ordered, That *Hugh Evans* and *Peter Dicks*, carry up the same to the Governor for his Concurrence; and withal desire to know when the House may expect his Result on the Bills now before him.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Resolved, That *Joseph Fox* be appointed a Trustee of the *Province Island*, in the Room of *James Morris*, deceased.

The Gentlemen appointed to wait on the Governor, with the Bill and Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give all the Dispatch he could to the Bills under his Consideration.

The Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, was read a second time, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, was again read, and considered, and referred to further Consideration. 11th Mo. 31.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, was again considered, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from a great Number of Inhabitants of the City of *Philadelphia*, setting forth the Advantages that would accrue to both City and Country, by erecting a Bridge over the River *Schuylkill*, and the Prospect of a considerable Subscription for that Purpose; and praying that the House would appoint Persons to view the said River, compute the Expence of a Bridge over it, and receive the Accounts of Subscriptions, to be laid before the House; and that the House would farther take such Measures for effecting the Design, as to their Wisdom should seem meet; was presented to the House and read, and 12th Mo. 1. *Ordered to lie on the Table.*

The Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Calvin Cooper*, *John Wright* and *Hermanus Alrichs* carry up the same to the Governor, and desire his Concurrence.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to carry up the Bill to the Governor, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would take it into Consideration. *Post Meridiem*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I Am very sensible of the many Dangers the Inhabitants of the City of *Philadelphia* are exposed to, by the Darkness of their Streets, and the Want of a well regulated Watch in the Night; of their earnest Desires to have, and your good Intentions to provide a suitable Law for their speedy Relief: And therefore no Bill, concerning the City, with regard to its general Design and Utility, can possibly be more agreeable to my Inclinations, than that now before me, for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof. But as the Provisions in the Bill, which relate to the Properties, and may essentially affect the Liberties of the Citizens, and other Inhabitants of the Province resorting to the City, are such as we have yet had no Experience of, and seem in many Instances to deviate from the Laws of our Mother Country in the like Cases, I have resolved, in order to give it mature and deliberate Consideration, to advise until your Meeting after next Adjournment.'

February 1, 1750. *JAMES HAMILTON.*"

The Governor also sent down the Bill for the more effectual preventing Accidents which may happen by Fire, and for suppressing Idleness, Drunkenness, and other Debaucheries, with some Amendments, which were read, and agreed to by the House.

1750. 12*th Mo.* 1. The Governor alſo ſent down the Bill for amending the Law relating to the Probate of Wills within this Province, with the following Meſſage, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I Have, with the utmoſt Care and Attention, conſidered the Bill now before me, entituled, *An Act for Amendment of the Law relating to the Probate of Wills within this Province*; and on peruſing the Clauſe of the Royal Charter, which authorizes the Proprietary, his Heirs, and their Deputies and Lieutenants, to appoint and eſtabliſh any Judges, and Juſtices, Magiſtrates and other Officers, whatſoever, for what Cauſes ſoever, for the Probates of Wills, and the granting of Adminiſtrations within the Province, and with what Power ſoever, and in ſuch Form as to the ſaid Proprietary, or his Heirs, ſhould ſeem moſt convenient; and the Acts of Aſſembly of the Fourth and Tenth of Queen *Anne*, recited in the Preamble to the Bill; am of Opinion, that a Law of this Kind is unneceſſary, and may be attended with dangerous Conſequences to the preſent and future Rights, Properties and Eſtates, of the Inhabitants of the Province, for the following Reaſons.

'I. Such a Law is unneceſſary, becauſe the Royal Charter giving Power to the Proprietary, to appoint Judges and Officers, for what Cauſes ſoever, and with what Power ſoever, for the Probates of Wills, *&c.* and the Acts of the Fourth and Tenth of the Queen, directing the Modes of ſuch Probates, even in Caſe of Litigation, ſufficiently provide for the Probates of Wills, as well concerning real as perſonal Eſtates, which is manifeſt, not only, by conſtant Uſage ſince the making thoſe Laws, but by all Acts, both Legiſlative and Judicial, ſince the Settlement of the Province.

'II. Were it otherwiſe, this Bill would prove an incompetent Remedy, becauſe by the Law of our Province, Wills proved in *England*, the neighbouring Provinces, or elſewhere, before ſuch as have Power to take Probates of Wills, and grant Letters of Adminiſtration, are ſufficient to paſs and aſſure Lands, in this Province, without further Proof.

'III. The Declaration in the firſt and ſecond Pages of the Bill, that the Powers granted by the Acts of the Fourth and Tenth of the Queen, to the Regiſter General, being limited to thoſe granted by the Royal Charter, can relate to the Probate of Wills concerning perſonal Eſtates only; if true, (which muſt be admitted, ſhould the Bill become a Law) would effectually ſubvert all Eſtates real, depending on Probates made ſince, and as under the Royal Charter and thoſe Laws. For if the Regiſter General had no Power to take the Probates of Wills, concerning real Eſtates, all his Probates of Wills as to ſuch Eſtates are void; and the Deviſees, and thoſe claiming under them, muſt loſe their Eſtates, unleſs the Witneſſes are preſent to prove the Wills, according to the Directions of this Bill.

'IV. The Generality of the Words in the Beginning of the third Page, *viz.* "When at any Time after the Publication of this Act, any Writing ſhall be exhibited, *&c.*" will admit the Exhibition of Writings, heretofore adjudged void, according to the Laws now in being, which would be highly inconvenient, in regard to the ſtirring up Strifes and Suits, the Alteration there may be in the Teſtimony, by the Deaths, or Abſence of Witneſſes, and the Subverſion of Eſtates, ſettled in and under the Heirs at Law.

'V. In the third Page of the Bill are theſe Words, "Whereby any Lands, Tenements or real Eſtate, within this Province, is deviſed." Here, may not a Fact be uncertain, which the Bill ſuppoſes will be always evident, (to wit) whether Lands, Tenements, or real Eſtate, are deviſed? For Inſtance, deviſing all a Man's Eſtate will paſs the real; and yet as from the Will, it cannot appear whether he died ſeized of Lands; that muſt be a Fact unknown, of which the Bill has eſtabliſhed no Mode of Trial, notwithſtanding the Validity of the Proceedings in the Court of Law, and of the final Sentence, depend upon it. Again, ſuppoſe a Man ſhould deviſe real Eſtate in the Province, and have none, would not ſuch a Deviſe, improperly, within the Intent of the Bill, draw the Juriſdiction from the Regiſter to the common Law Court?

'VI. It is obſervable, on theſe Words, in the ſame Page, "Or where the perſonal Eſtate thereby bequeathed ſhall exceed One Hundred Pounds," that it may be queſtioned whether they mean One Hundred Pounds in Specie, or Chattels to the Value of One Hundred Pounds; the ſame Reaſon ſubſiſting, to enact the like Mode of Trial for one, as for the other. If the latter, how is the Value of the Chattels to be aſcertained? Again, Suppoſe a Man having given particular Legacies under One Hundred Pounds, bequeathes the Reſidue of his perſonal Eſtate, how is the Reſidue to be aſcertained, or the Value known? If a Man bequeathes his perſonal Eſtate generally, how are the Regiſter and Juſtices to determine what it conſiſts of, or the Value?

'VII. In the fifth Page of the Bill there is a ſaving Clauſe to Infants, married Women, Perſons out of the Province, or of unſound Mind and Memory, their Rights to ſue and implead, in the ſame Manner, concerning the Validity of the ſaid Wills. Under

'this

1750. 12th Mo. 1.

'this Clause, the Interest of Purchasers under Devisees and Heirs, upon Wills decreed 'valid, or invalid, must be extremely precarious. But it seems to me, to render the 'Office of an Executor or Administrator very dangerous. The Law, on Payment of 'Legacies or distributary Portions, authorizes the Executor or Administrator only to 'demand Bonds, to indemnify against latent Debts. Immediately, on the Tender of 'such Bonds, they ought to pay the Legacies or Portions, and if they refuse, the Law 'will oblige them, with the additional Charges of Interests and Costs: And yet upon 'this Clause, they may be compelled, on a second Sentence's differing from the first, to 'pay the whole Estate to a new Executor, or Administrator, as the Case shall happen, 'although nothing can be recovered from those who received the Estate, through Ab-'sence, Death, Poverty, or other Disability. And the other saving Clause in the sixth 'Page, to all and every other Person and Persons, who may think him, her or them-'selves aggrieved, their Rights by Appeal, Writs of *Certiorari*, Writs of Error, or 'other Writs, as they shall be advised to be made returnable to the Supreme Court of 'this Province, *&c.* is liable to the same Objections, but is more dangerous with regard 'to the Consequences, as those Writs may be brought without Limitation of Time.

'For these Reasons I cannot pass this Bill into a Law.

February 1, 1750. *JAMES HAMILTON.*"

A Bill to encourage the Establishing of an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics; was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment 12th Mo. 2.

Ordered, That the following Message be sent up to the Governor by *Evan Morgan* and *William Clymer*, viz.

May it please the GOVERNOR,

A Message from the Assembly to the Governor.

WE have read and considered the Governor's Message upon our Bill, for regulating the Nightly Watch, *&c.* and are much pleased to find how sensible he is 'of 'many Dangers the Inhabitants of the City of *Philadelphia* are exposed to by the Dark-'ness of their Streets, and the Want of a well regulated Watch in the Night, of the 'earnest Desires of the Inhabitants, and of our good Intentions to provide for their speedy 'Relief:' This induces us to hope the Governor, upon mature Consideration, will be pleased to pass our Bill; as on our Parts, we have endeavoured to answer the Desires of the Inhabitants of this City, as nearly as might be, in Conformity with the Prayers of their Petition, upon which the Bill was originally founded. But we are deeply affected with the Apprehensions the Governor entertains, 'that the Provisions in the Bill which 'relate to the Properties, and may essentially affect the Liberties of the Inhabitants of 'the Province, resorting to the City, are such as we have had no Experience of, and seem 'in many Instances to deviate from the Laws of our Mother Country in the like Cases.' In forming of this Bill, we have constantly had in View the Method prescribed by our Laws for raising County Rates and Levies, because, on long Experience, we have found them to give general Satisfaction to the Inhabitants of this Province, and effectual in discharging the public Debts with Honour: We are not sensible of any material Difference in this Bill, unless the Inhabitants of the City of *Philadelphia*, by any Misfortunes peculiar to themselves, must be precluded from that Benefit which every other Part of the Province has a Right to. And should we in any Instance 'seem to deviate from 'the Laws of our Mother Country in like Cases,' we hope, on Examination, they will appear neither to contradict nor vary from them, farther than our Charters and our Laws warrant us, in order to make them more suitable to the Circumstances of this Province.

The Necessity of an immediate Provision for securing the Inhabitants of this City from their Fears, and the great Dangers they are liable to continually, for Want of a sufficient and regular Watch in the Night, call upon us to become earnest Solicitors with the Governor, that he would be pleased to give the Bill now lying before him all the Dispatch the Circumstances of these unhappy Times require.

Signed by Order of the House,

ISAAC NORRIS, Speaker."

The Governor sent down, by his Secretary, a Letter he had just received from Governor *Clinton*, of *New-York*, relating to *Indian* Affairs.

The Gentlemen return and report, that they waited on the Governor and delivered the Message of the House according to Order.

Then the House adjourned to the *Second-day* of the next Week, at Three o'Clock, *P. M.* Adjournment 12th Mo. 4. *Post Meridiem*

The House met pursuant to their Adjournment.

The Treasurer attending was called in, and acquainted the House, that he had lately visited *John Hall*, Collector of *Bucks* County, who hath been some Time sick; and that he thought it necessary the said Collector should either appoint a Deputy, or that some

1750. 12th Mo. 4. ſome other Meaſures ſhould be taken to ſecure the public Intereſt in that County during his Indiſpoſition. He alſo laid ſome Papers relating to the Exciſe of that County before the Houſe, and then withdrew.

The Papers relating to the Exciſe Office in *Bucks* County, were referred to the Committee of Public Accounts.

The Governor's Meſſage on the Bill relating to the Probate of Wills, was again read;

Ordered, That *Iſrael Pemberton*, *John Smith* and *Joſeph Fox* be a Committee to prepare a Draught of an Anſwer to the ſame, and report it to the Houſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 5. A Petition from ſundry Freeholders of the Province, ſetting forth, that in the Month of *Auguſt*, when the Fawns are ſmall, many idle Perſons, who could find better Employ in the Harveſt, lurk about the Creeks to hunt, and by killing the Does, occaſion the Fawns to be ſtinted in their Growth; and that in *December*, when the Freeholders have generally moſt Leiſure to hunt, and the Deer as good as at any Time, they are forbid by the late Act; and therefore praying that the Act relating to the killing of Deer, may be amended, by limiting the Time from the firſt of *September* to the firſt of *January*, and laying a Penalty of *Five Pounds* for every Deer killed in any other Month; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read by Order, and conſidered, and after ſome Amendments, ordered to be tranſcribed, that it may be ſent to the Governor.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Meſſage to the Governor being tranſcribed, was read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. THE Manner in which the Bill *for regulating the Probate of Wills*, was recommended to the laſt Aſſembly, 'as a Bill proper to be conſidered at a Time of more 'Leiſure, when the Houſe could give it all the Attention an Affair of ſuch Importance 'required,' induced us to hope that at this Time, when we have all the Leiſure and Willingneſs neceſſary to finiſh this Bill, the Governor would have 'propoſed ſuch Clauſes 'to be added, or have altered it ſo as to avoid any Inconveniencies, which he might appre-'hend would ariſe from the Bill as it ſtood, and not incur others.' But if the Governor ſuppoſes the Reaſons he has been pleaſed to ſend us, are deciſive, we beg Leave to declare our Sentiments, upon ſuch of them as relate to the Powers of the Regiſter General or his Deputies, with ſuch Juſtices as he may call to his Aſſiſtance, by Virtue of our Acts of Aſſembly, to judge of the Validity of laſt Wills made concerning Lands only, or ſuch Wills as concern Lands and Goods, that they are, as far as regards the Lands, not only againſt the Words and Intention of thoſe Acts, but directly repugnant to the Laws of *England*.

We hope when the Governor conſiders the dangerous Conſequence of truſting ſuch Powers in the Hands of the Regiſter General and his Deputies, as in a great Degree ſubjects the laſt Will of every Inhabitant of this Province to their Deciſion, he will excuſe our earneſt Deſires to be heard upon this Occaſion, as becoming us with regard to himſelf, and our incumbent Duty to our Conſtituents.

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Edward Warner* and *Joſeph Trotter* wait upon the Governor with the ſame, and deſire to know when the Houſe may expect his Reſult on the Bills now before him.

The Gentlemen return and report, that they had waited on the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, the Bills now before him ſhould be ſent to the Houſe To-morrow Morning.

It being repreſented to the Houſe by ſeveral Members who brought in the Bill to encourage the Eſtabliſhing of an Hoſpital for the Relief of the ſick Poor of this Province, and for the Reception and Cure of Lunatics, that there is a charitable Diſpoſition among many of the Inhabitants, to give largely towards ſuch an Hoſpital, if this Bill ſhould paſs;

Ordered, That the Bill be now read a ſecond time.

Ordered, That Candles be brought in.

And the Bill was accordingly read the ſecond time, and debated, and ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 6. *Conrad Weiſer* attending the Houſe, was called in, and ſeveral Queſtions put to him concerning the Preſents to be made the *Indians*, which he anſwered, and then was deſired to go immediately over to *Cumberland* County, and forward the Goods lying there to *Ohio*, that the *Indians* may have the Preſents intended them as ſoon as poſſible.

Then

Then the House adjourned to Three o'Clock, *P. M.* 1750.

The Governor sent down the Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof, with some Amendments: And the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, with some Amendments, which were read. 12th Mo. 6. *Post Meridiem*

And the House considering the Amendments proposed to the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, after some Time spent therein,

Ordered, That *James Wright*, *John Wright* and *Joseph Armstrong* carry up the Bill again to the Governor with this Message, 'That the House having considered the Governor's Amendments to the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, are of Opinion, that the Bill as it now stands is well suited to the Circumstances of those Counties, that the Governor's Amendments will wholly alter the Design thereof, and therefore the House adheres to the Bill.'

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed Yesternight to wait on the Governor with the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, and the Message of the House, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would consider it. 12th Mo. 7.

The Governor, by his Secretary, sent down the Bill for erecting Houses of Correction, and Work-houses, in the Counties of *Lancaster*, *York* and *Cumberland*, within this Province, with a Message, 'That he is sorry he differs in Sentiment from the 'House with regard to that Bill; but as the Amendments by him proposed are the 'Result of his Judgment, after mature Consideration of the Bill, he cannot therefore 'recede from them.'

The Governor also sent down the following Message in Writing, *viz.*

GENTLEMEN,

'WHEN I sent the last Assembly the Message mentioned in your's of the Fifth Instant, although I saw many Inconveniences attending the Bill for regulating the Probate of Wills then before me, yet I was unwilling to refuse my Assent to it, without that due Consideration which I shall ever have, of Matters coming from the Representatives of the Province of *Pennsylvania*. I have since considered it with the utmost Care, and as the Bill lately sent down to you is essentially the same, I have given you my Reasons why I cannot pass the latter into a Law, and am not capable of saying more upon the Subject. A Message from the Governor to the Assembly.

February 7, 1750. *JAMES HAMILTON.*"

The House considered the Amendments proposed by the Governor to the Bill for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising Money on the Inhabitants of the said City for defraying the necessary Expences thereof; to some of which they agreed, and in others adhered to the Bill.

Ordered, That *William Clymer* and *Joseph Fox* carry up the Bill again to the Governor, with an Account of the Amendments agreed to by the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to carry up the Bill for regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the said City, and for raising of Money on the Inhabitants of the said City for defraying the necessary Expences thereof, to the Governor, report, that they delivered the same according to Order, and that the Governor was pleased to say, he would give it all the Dispatch he could. *Post Meridiem*

The Petitions relating to a Bridge over the River *Schuylkill* were again read;

Ordered, That *Israel Pemberton*, sen. *Thomas Leech*, *Peter Dicks*, *Hugh Roberts*, *Edmond Woolley*, *Jacob Lewis*, *Caspar Wistar*, *Charles Norris*, *Samuel Rhodes* and *Benjamin Franklin* be appointed to view the River *Schuylkill*, and consider where a Bridge over that River may be most conveniently built, and estimate the Charge thereof; and report thereon to this House; and if the Petitioners or any others communicate to them any Papers of Subscription towards the Expence thereof, they are to lay the same before the House.

The Bill to encourage the establishing an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics, being transcribed, was again read.

Resolved, *N. C. D.* That the Bill do pass.

1750. 12th Mo. 7. *Ordered*, That *Iſrael Pemberton* and *John Smith* carry up the ſame to the Governor, and deſire his Concurrence: And they are farther to acquaint the Governor, that the principal Part of the Buſineſs of this Seſſion now lying before him, the Houſe hopes he will give it all the Diſpatch he can.

Ordered, That the Minutes of Aſſembly, from the firſt Settlement of this Province, be printed with all convenient Speed, under the Care and Direction of the Speaker, Fifty Copies thereof to be in the Diſpoſal of the Houſe.

The Gentlemen appointed to wait on the Governor with the Bill and Meſſage of the Houſe, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would give what Diſpatch he could to the Buſineſs before him; and would ſend a Meſſage to the Houſe concerning the Watch-Bill To-morrow Morning.

Ordered, That the Treaſurer pay ſuch Draughts for the Charges of carrying the *Indian* Goods to *Ohio* as ſhall be drawn or allowed by *Conrad Weiſer*, Eſq; not exceeding in the Whole the Sum of *Two Hundred Pounds*.

Reſolved, That the Houſe will adjourn this Week, to the firſt *Second-day* of the Week in the next *3d Month*.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

12th Mo. 8. The Governor, by his Secretary, ſent down the Bill, for the better regulating the Nightly Watch within the City of *Philadelphia*, and for enlightening the Streets, Lanes and Alleys of the ſaid City, and for raiſing of Money on the Inhabitants of the ſaid City for defraying the neceſſary Expences thereof; with a Meſſage that he withdraws thoſe Amendments that are not agreed to by the Houſe.

The Secretary was directed to provide more exact Liſts of all the Public Houſes in this Province, to be laid before the Houſe at the next Sitting. And then withdrew.

The Governor's Meſſage of the 19th paſt, on *Indian* Affairs, was again read, and conſidered.

Ordered, That *John Smith*, *Iſrael Pemberton*, *Edward Warner*, *William Clymer*, *Mahlon Kirkbride*, *Henry Hockley*, *Calvin Cooper*, *John Wright* and *Hermanus Alrichs* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſage, and report it to the Houſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Gentlemen appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe; and it was read, approved, and ordered to be tranſcribed, that it may be ſent up to the Governor.

And being accordingly tranſcribed, it was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. WE have taken into our ſerious Conſideration the Governor's Meſſages concerning *Indian* Affairs, with Governor *Clinton's* Letters, and the other Letters and Papers therein referred to; and being fully convinced that theſe Matters are of ſuch Importance as to deſerve our Care and Attention, we have concluded to meet again ſome Weeks before the Time propoſed by Governor *Clinton*, for the Treaty with the *Indians* of the *Six Nations* at *Albany*, in order that we may then be more fully informed of the Affairs of the *Indians* in our Alliance, and may conſider what may be fitting for us to do, with regard to them, and whether it will be neceſſary for us to bear a Part in the ſaid Treaty.

As the Money voted at our laſt Seſſions for a Preſent to the *Indians* at *Ohio*, was ſoon after laid out in Goods proper for them, we have (in order to expedite their being ſent forward as ſoon as poſſible) enjoined *Conrad Weiſer* to go over *Saſquehannah*, and agree for their Carriage, and carefully to obſerve ſuch Directions as the Governor may be pleaſed to give him for that Purpoſe, and the Provincial Treaſurer to diſcharge ſuch Sums, as he may contract to pay for the Charges of conveying thoſe Goods to *Ohio*.

The Regard and Concern expreſſed by the Governor on this Occaſion is very grateful to us, and engages us fully to confide in his Aſſurances of performing what we may hereafter requeſt him to do therein, for the Intereſt of the Province.

And the Meſſage being ſigned by the Speaker by Order of the Houſe;

Ordered, That *Mahlon Kirkbride* and *Henry Hockley* wait upon the Governor with the ſame; and acquaint him, that the Houſe inclines to adjourn To-morrow to the ſixth Day of the next *Third Month*; that they have agreed to his Amendments of all the Bills, which will be engroſſed ready for Examination To-morrow Morning; and farther, that the Houſe deſires to know his Reſult on the Bill now before him.

The Committee appointed to inſpect the Accounts of the Exciſe in *Bucks* County, made their Report in Writing, which was read, and follows in theſe Words, *viz.*

Report from the Committee appointed to inſpect the Accounts of the Exciſe, &c. PURSUANT to the Order of the Houſe, we have examined the Accounts of the Collector of Exciſe for the County of *Bucks*, of the Entries of ſtrong Liquors made in his Office, ſince the Time of his Appointment; and do find, that the Sum due to

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the Province (including the Debts due at the Deceaſe of the former Collector) amounts to *Two Hundred Pounds* and upwards, the greater Part of which Sum ought to have been paid into the Treaſury long ſince; and as it appears to us, that the Public Intereſt has ſuffered for Want of due Care in the Management of the ſaid Office, we are of Opinion, that all the Tavern-keepers, and other Retailers of ſtrong Liquors in the ſaid County, ſhould be immediately viſited, in order that the Houſe at their next Meeting may conſider on ſome more effectual Meaſures to prevent a further Loſs to the Province, in that Branch of the Public Revenue. Which is nevertheleſs ſubmitted to the Houſe. 1750. 12th Mo. 8.

ISRAEL PEMBERTON, EVAN MORGAN,
EDWARD WARNER, MAHLON KIRKBRIDE,
JOSEPH FOX, THOMAS CUMMINGS."
JOHN SMITH,

Reſolved, That *John Hall* be removed from the Office of Collector of Exciſe for the County of *Bucks*.

Reſolved, That *John Woolſton* be Collector of the Exciſe for the ſaid County, in the Room of *John Hall*.

The Gentlemen return and report, that they had waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would appoint two Members of his Council to join a Committee of the Houſe, in examining the Bills To-morrow Morning; that he had no Objection to the propoſed Time of Adjournment; that it was impracticable for him in ſo ſhort a Time to conſider the Bill duly that is now before him, but he will ſend his Sentiments thereon to the Houſe at their next Sitting.

Ordered, That *Iſrael Pemberton* and *John Smith* be appointed to join the Committee of Council in comparing the engroſſed Bills.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment 12th Mo. 9.

The Committee appointed to join with the Committee of Council, in examining and comparing the engroſſed Bills, report, they find them to agree with their Originals.

Ordered, That *Joſeph Gibbons* and *Joſeph Hamton* wait on the Governor, and acquaint him, that the Bills have been examined by the Committees of this Houſe and of the Council; and deſire to know what Time he will appoint that the Houſe ſhould wait on him, in order to the paſſing the ſame into Laws.

The Gentlemen return and report, that they waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would be ready to receive the Houſe in the Council Chamber in Half an Hour.

Reſolved, That *Six Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Eſq; Governor of this Province, in Part of his Support for the current Year.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

Ordered, That *Iſrael Pemberton* and *John Smith* ſee the Great Seal affixed to the Laws after they are paſſed, and the ſame depoſited in the Rolls-Office.

The Committee appointed to inſpect the Laws relating to Ferries, made their Report in Writing, which was read, and follows in theſe Words, *viz.*

Report from the Committee appointed to inſpect the Laws relating to Ferries.

WE have, according to the Order of the Houſe, examined the Laws of this Province, and find that the *Act for eſtabliſhing a Ferry over* Schuylkill, *at the End of the* High Street *of* Philadelphia, is ſtill in Force, and that all the other Laws concerning Ferries, are long ſince expired; and that the Rates or Prices of Ferriage are not yet ſettled by any Laws now in Force, which we conceive may in Time be prejudicial to the Intereſt of the Province.

ISRAEL PEMBERTON, junior, CALVIN COOPER,
WILLIAM CLYMER, JOHN WITHEROW,
GEORGE ASHBRIDGE, JOSEPH ARMSTRONG."
JOSEPH TROTTER,

A Meſſage from the Governor, by the Secretary, *viz.*

Mr. *Speaker*,

'The Governor is now ready to receive the Houſe in the Council Chamber, in order 'to enact into Laws ſuch Bills as have paſſed the Houſe with his Concurrence.'

Then the Speaker with the whole Houſe waited on the Governor.

The Houſe being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the following Bills, *viz.*

An ACT *for explaining and aſcertaining the Boundary Line between the Counties of* York *and* Cumberland, *in the Province of* Pennſylvania.

An ACT *for the more effectual preventing Accidents which may happen by Fire; and for ſuppreſſing Idleneſs, Drunkenneſs, and other Debaucheries.*

An ACT *for the better regulating the Nightly Watch within the City of* Philadelphia,

and

1750. 12th Mo. 9. *and for enlightening the Streets, Lanes and Alleys of the ſaid City, and for raiſing of Money on the Inhabitants of the ſaid City, for defraying the neceſſary Expences thereof.* To which the Governor was pleaſed to give his Aſſent, by enacting the ſame into Laws. That the Speaker had alſo preſented the Governor with the Order on the Treaſurer, for which he was pleaſed to thank the Houſe.

The Conſideration of the Papers relating to the Repeal of the ſeveral Acts of Aſſembly for impoſing a Duty on Perſons convicted of heinous Crimes, *&c.* is referred to the next Sitting.

It being repreſented to the Houſe, that the Clerk of the Loan-Office hath neglected to record the Mortgages for ſome Time paſt, and to give Copies of them to the Mortgagors;

Ordered, That the Truſtees of the Loan-Office take Care that the Laws relating to the Loan-Office be punctually obſerved for the future.

Ordered, That the preſent Collector of *Bucks* County do immediately viſit all the Retailers, *&c.* in that County, and take Care to ſee that the Exciſe Act be more effectually executed.

Adjournment Then the Houſe adjourned to the ſixth Day of the next *Third Month.*

1751. 3d Mo. 6. THE Houſe met purſuant to their Adjournment.

Ordered, That *Edward Warner* and *Joſeph Fox* wait upon the Governor, and acquaint him, that the Houſe is met purſuant to their Adjournment, and ready to receive any Thing he may have to lay before them.

The Houſe being informed, that *William Clymer*, one of the Repreſentatives of the City of *Philadelphia*, is deceaſed;

Ordered, That an Order iſſue under the Hand of the Speaker, to the Secretary of the Province, requiring him to iſſue a Writ to the Sheriff of *Philadelphia*, for electing a new Member to ſerve in Aſſembly for the ſaid City the preſent Year.

A Petition from *Joſeph Redman*, Collector of the Exciſe for the City and County of *Philadelphia*, praying to be continued in that Office; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from ſundry Inhabitants of *Philadelphia* and *Cheſter* Counties, ſetting forth, that they, or ſome of their Anceſtors, had at the early Settlement of this Province, purchaſed Lands therein, which at that Time were well watered by ſeveral large Creeks and Rivulets paſſing through them; but of late Years, there being many Settlements made upon thoſe Creeks to their Spring Heads, the Owners thereof had, either for their own Advantage, or worſe Ends, raiſed the Water to its utmoſt Height, and turned it over ſo much of their own Lands, that it was become entirely ſunk, and its natural Courſe or Bed rendered dry; whereby the Petitioners, at Times, became deſtitute of Water on their Lands for the Neceſſities of Life; and particularly in the late dry Summers have been great Sufferers thereby. For remedying which Inconveniences, they humbly pray, this Houſe would take their Caſe into Conſideration, and grant them ſuch Redreſs as they ſhall ſee meet; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

3d Mo. 7. The Gentlemen appointed to wait on the Governor with the Meſſage of Yeſternight, report, that they waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe this Morning.

A Petition from a great Number of the Back Inhabitants of *Philadelphia* County, and the adjacent Parts of *Cheſter*, *Lancaſter* and *Bucks* Counties, ſetting forth, that by their remote Situation from their reſpective County Towns (where the Courts and Public Offices are kept) they are put to ſuch extraordinary Expence of Money and Time in their long Journeys thither, as Parties in Cauſes, Witneſſes, Jurymen, Conſtables, *&c.* that their Burthen on that Account is almoſt double to what thoſe bear, who are ſo fortunate as to live within a convenient Diſtance of their County Town; that their being at a great Diſtance from the Metropolis of the Province, and the Charge of Carriage of their Produce to the Market, makes the Burthen ſtill more heavy upon them; that as the other remote Inhabitants of the Province, who were lately in the ſame Circumſtances, have obtained Laws to have new Counties erected, they are encouraged to expect the like Favour; therefore humbly pray, that this Houſe would take their Caſe into Conſideration, and grant them a Law for erecting them into a diſtinct County, of ſuch Extent and in ſuch Manner, as to their Wiſdom ſhall ſeem meet; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from ſundry Inhabitants of *Cheſter* County, was preſented to the Houſe and read, ſetting forth, that by an Act of Aſſembly made in the Twenty-third Year of the preſent Reign, entituled, *An Act againſt killing Deer out of Seaſon*, it was enacted, 'That no Perſons within this Province, ſhould kill or deſtroy any Deer whatſoever, at any

'any other Time but between the first Day of *August* and the first Day of *December*, 'under the Penalty of paying the Sum of *Forty Shillings*;' that the Petitioners conceive that the said Act is, and will be of great Disadvantage to them, as they, having Plantations to take Care of, are obliged to seed their Land, fence their Fields, make Cyder, *&c.* so cannot take Time to hunt in the Beginning of the Fall, and no Snow falling till the latter End of *November* and *December*, which is the general Time for hunting Deer with the Plantation Men, the Deer being then known to be very good and in Season; that they therefore pray that the said Act may be amended, and the Time for hunting and killing Deer be made according to an Act of Assembly of this Province, made in the Eighth Year of the late King GEORGE the First; and as several dissolute and unqualified Persons have hunted out of Season, and contrary to the express Tenor of the said Acts; that the Fines may be raised and augmented in such Manner as to this House shall seem meet. 1751. 3d Mo. 7.

Ordered to lie on the Table.

A Petition from *Thomas Millhouse*, of *Chester* County, praying to be appointed Collector of the Excise for that County; was presented to the House and read, and

Ordered to lie on the Table.

The Governor, by his Secretary, sent down a written Message to the House, with several Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I Was very well pleased with your Resolution signified to me at the Close of the last 'Session, to adjourn to the Beginning of this Month, in order that you might be the 'better enabled to consider, from such Intelligence as might then be given you, what 'Measures it might be proper for you to take with regard to *Indian* Affairs.

'I have since received a Letter from Governor *Clinton*, acquainting me, that, by Ad-'vice of his Council, he has postponed his meeting the *Six Nations* at *Albany* to the 'Twenty-fifth of next Month, to give the several Governors he has applied to on that 'Occasion, more Time to consult their respective Assemblies on an Affair of so much 'Importance; desiring further, that if I have any Proposals to offer in Consequence of 'any Resolves to be made by you, that I should impart them as soon as possible; where-'fore, if any such should occur that you think necessary to be settled, previous to the 'said Treaty, you will please to communicate them to me with all convenient Dispatch, 'and you may assure yourselves of my Readiness to concur with you in whatever may 'tend to the Interest of the Province.

'Mr. *Croghan* having been lately in Town from *Ohio*, related to me the Intelli-'gence contained in the Paper herewith laid before you; which for its Importance very 'well deserves, and I earnestly recommend to, your most serious Attention. He is now 'returned to *Ohio*, in order to deliver the Provincial Present to the *Indians* there, about 'the Middle of this Month.

'If any Thing new had happened in the Countries contiguous to *New-York*, I am 'persuaded Governor *Clinton* would have communicated it to me; but as he has been 'altogether silent on that Head, I conclude there has been no Alteration of Affairs there 'since your last Session; I have therefore now only to desire you to revise the Contents 'of the Papers then laid before you, and to come to such Resolutions thereupon, as 'may enable me to do what is becoming this Government.

'The *Six Nations*, whose Example will be followed by all the other *Indians*, seem 'to be actually afraid of the *French*; and though their Affections are manifestly in Fa-'vour of the *English*, yet if they find no Support from them, sufficient to dispel these 'Fears, it must be expected they will be obliged to quit our Interest, and depend on 'those who will afford them better Protection.

'This is the Light in which I see Matters at present; and should you concur with 'me in Sentiment, I make no doubt but your Resolves will be answerable to the Exi-'gency of Affairs.

May 7, 1751. *JAMES HAMILTON.*"

The Secretary also delivered compleat Lists of the licenced Public Houses in this Province, and of such as were recommended for Licences.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor, by his Secretary, sent down the Bill for encouraging the Establishment of an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics, with some Amendments, which were read, and considered; to some of which the House agreed, but in others adhered to the Bill. *Post Meridiem.*

Ordered, That *Israel Pemberton* and *Joseph Fox* carry up the Bill again to the Governor, and acquaint him, that the House have considered his proposed Amendments, and agreed to all save two, in which they adhere to the Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

1751. 3d Mo. 8. The Gentlemen appointed to wait on the Governor with the Bill and Amendments, report, that they delivered the ſame according to Order.

The Governor's Meſſage was again read, and conſidered, with the Papers therein referred to;

Ordered, That *Iſrael Pemberton* and *Edward Warner* wait on the Governor, and acquaint him, that the Houſe have conſidered his Meſſage, and the Papers that accompanied it, and obſerve by a Paper of *George Croghan's*, that a Treaty has been entered into with two Nations of *Indians* by the ſaid *Croghan* and *Andrew Montour*; and deſire to know whether the ſame was done by Virtue of any Inſtructions from the Governor, or with his Authority.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen return, and report, that they waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, the Treaty made by *Croghan* and *Montour* with the *Indians* was without his Knowledge or Direction, nor did he approve of their Conduct therein; but as he believed they intended well in what they had done, he had not expreſſed his Sentiments concerning it in his Meſſage to the Houſe.

Conrad Weiſer, Provincial Interpreter, attending the Houſe, was called in, and acquainted the Houſe, that, according to their Order, he went to *Cumberland* County, and agreed for tranſporting the Goods to *Ohio*, but could not get it done for leſs than *Two Hundred and Thirty Pounds*. And after having anſwered ſuch Queſtions concerning *Indian* Affairs as the Houſe thought fit to aſk him, he withdrew.

The Governor, by his Secretary, returned the Bill for eſtabliſhing of an Hoſpital for the Relief of the ſick Poor of this Province, and for the Reception and Cure of Lunatics, with a Meſſage, that he withdraws his ſeventh propoſed Amendment, but adheres to the ninth.

And the Houſe, after Conſideration, agreed to the ſaid ninth Amendment.

Ordered, That the Bill be engroſſed with the Amendments.

The Governor's Meſſage was again read, and conſidered.

Ordered, That *Iſrael Pemberton*, *Joſeph Fox*, *Abraham Chapman*, *Thomas Cummings*, *James Webb*, *John Witherow* and *Joſeph Armſtrong* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage, and report it to the Houſe.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

3d Mo. 9. *Ordered*, That the Liſts of the Public Houſes delivered by the Secretary, be referred to the Conſideration of the Committee of Grievances, and that *Joſeph Fox* be added to that Committee in the Room of *William Clymer*, deceaſed.

A Petition from *John Potter*, High Sheriff of the County of *Cumberland*, was preſented to the Houſe and read, ſetting forth, that he has been at great Trouble and Expence in maintaining *Samuel Saunders*, who was committed to his Cuſtody for the Murder of *Simon Girtay*; alſo in conveying him from *Conegochieg* to *Philadelphia*, by Order of the Chief Juſtice; a particular Account whereof, he has annexed to his Petition, and prays this Houſe would allow the ſame. *Ordered to lie on the Table.*

A Petition from the Grand Jury of *Cumberland* County, in Behalf of the ſaid County, was preſented to the Houſe and read, ſetting forth, that they labour under extreme Difficulties, by Reaſon of the large Fees granted to Sheriffs, Attorneys at Law, Clerks, Conſtables and other Officers, which Fees are for the moſt Part paid by the poorer Sort of People, whereby they are oppreſſed even to the Ruin of many poor Families; that they preſume all ſuch Officers would have an honourable Reward for their Service, although the Fees were much lowered; therefore pray this Houſe would conſider the Premiſes, and grant the Petioners Relief therein. *Ordered to lie on the Table.*

A Petition from *Catherine Cox* was preſented to the Houſe and read, ſetting forth, that ſhe is a poor Widow, with ſeven ſmall Children, and that about four Years ago, the *Indians* going by her Houſe did kill a Bull belonging to her, of the Value of *Three Pounds*; that ſhe gave in an Account thereof to Mr. *Smout*, along with other Damages done to her Neighbours, which were all paid except her's; therefore prays this Houſe would take her Caſe into Conſideration, and make her ſuch Allowance as ſhall ſeem reaſonable. *Ordered to lie on the Table.*

The Houſe taking into Conſideration the Papers relating to the Repeal of the Acts, *for impoſing a Duty on Perſons convicted of heinous Crimes*, &c.

Ordered, That *John Smith*, *Joſeph Fox*, *John Woolſton*, *Thomas Cummings* and *James Wright* be a Committee to conſider the ſame, and report thereon to the Houſe.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read by Order, and conſidered, and, after ſome Amendments, ordered to be tranſcribed that it may be ſent up to the Governor.

And

And being accordingly transcribed, it was again read, and follows in these Words, *viz.* 1751. 3d Mo. 9.

May it please the GOVERNOR,

A Message from the Assembly to the Governor.

WE have considered the Governor's Message concerning *Indian* Affairs, and the several Letters and Papers therein mentioned, with that Attention the Importance of them requires, and are very sensible of his Care and Concern to confirm and extend our Interest with our *Indian* Allies.

As we find there is no late Intelligence of a material Change in the State of these Affairs; we hope the Presents lately sent to the *Indians* at *Ohio* will be received by them as Proofs of our Friendship, and may (if properly distributed by the Persons appointed to deliver them) have the desired good Effect of confirming them in their Alliances with us. We doubt not the Governor has given the necessary Instructions to those who are intrusted therewith, and as the Interest of the Province is essentially concerned in the Conduct of the Persons employed on these Occasions, we shall readily concur with the Governor, in any Measures necessary to prevent them from entering into any Engagements further than his Instructions shall warrant.

As we do not apprehend our joining in the intended Treaty at *Albany* to be necessary at this Time; we request the Governor to direct *Conrad Weiser* to meet the *Six Nations* there, with the small Present provided for them, and a Message of Condolence on the Death of *Canassatego*, and their other Chiefs, who were our steady Friends; and if on the Intelligence we may receive at our next Meeting, any further Measures should appear to us proper to enter into, we shall chearfully concur in doing what may be most conducive to the Peace and Tranquility of the Province.

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Israel Pemberton* and *James Wright* wait upon the Governor, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they delivered the same according to Order. 3d Mo. 10.

Resolved, That the House will To-morrow adjourn to the Twelfth of the next *Sixth Month*.

Ordered, That *Joseph Trotter* and *Joseph Fox* wait upon the Governor, and acquaint him, that the Bill *for establishing an Hospital for the Relief of the sick Poor of this Province, and for the Reception and Cure of Lunatics*, is engrossed, with the Amendments agreed on, and request that he will be pleased to appoint one of his Council to join with a Member of the House in comparing the engrossed Bill with the Original; and desire to know when he will be pleased to receive the House, in order to enact the same into a Law. And farther they are to acquaint the Governor, that the House propose to adjourn To-morrow to the Twelfth of the next *Sixth Month*, if he hath no Objection to that Time.

The Committee appointed to consider the Papers relating to the *Acts for imposing Duties on Persons convicted of heinous Crimes*, &c. report, that they are of Opinion it may be necessary to repeal the Act passed in the Twenty-third Year of the present Reign, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*; which they nevertheless submit to the House.

The Gentlemen appointed to wait on the Governor, return and report, that they waited on him, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he would appoint a Member of his Council to join with a Member of the House in comparing the Bill, at Ten o'Clock To-morrow; that he will receive the House at Eleven in the Council Chamber, in order to pass it into a Law; and that he hath no Objection to the proposed Time of Adjournment.

Ordered, That *Israel Pemberton* be appointed to join with the Member of Council, to compare the Bill.

The House allowed the Agreement made by *Conrad Weiser* for transporting the Goods to *Ohio*, and

Ordered, That the Treasurer pay on that Account the Sum of *Thirty Pounds* over and above the *Two Hundred Pounds* allowed at the last Sitting for that Service.

The Petition of *Catherine Cox* was again read, and referred to the Committee of Public Accounts.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Israel Pemberton reported, that he had with a Member of Council compared the engrossed Bill with the Original, and found them to agree. 3d Mo. 11.

Ordered, That *John Smith* and *Evan Morgan* see the Great Seal affixed to the Law after it shall be passed, and the same deposited in the Rolls Office.

A Petition from a great Number of the Inhabitants of the Upper Parts of the County of

1751. 3d Mo. 11. of *Bucks*, was preſented to the Houſe and read, ſetting forth, that by the Number of the Inhabitants, and the remote Extent of Settlements of ſaid County, from the preſent Seat of Judicature, they are extremely harreſſed and aggrieved whenever they have Occaſion to make Application for obtaining Juſtice, and often chooſe to loſe their Right, rather than ſue for it under ſuch Circumſtances; that many knowing this, are guilty of fraudulent and deceitful Practices, as well as other licentious Behaviour, which they durſt not attempt, were the Petitioners erected into a County by themſelves, and the Seat of Juſtice more eaſily to be come at; that they are encouraged to hope, that the ſame Juſtice, Equity, and Regard for the Good of the Public, which induced the late Aſſemblies to erect two new Counties for the Relief of the Inhabitants will (as their Caſe is the ſame) be extended to them; that they apprehend a Diviſion Line run to the Southward from *Tohicken* Creek, to the Line of *Philadelphia* County, and from thence to the Northward by the common Line that divides *Philadelphia* County from *Bucks*, would be the moſt convenient Separation from the old County of *Bucks*; that it is with Concern for the Public, as well as with great Detriment to themſelves, that they daily ſee the Produce of that Part of the Province carried over at the Point of the *Forks* of *Delaware* into the *Jerſeys*, and from thence by Land to *Brunſwick*; which is a private Loſs, by the heavy Charges for Carriage, and a Provincial Loſs, by ſo great a Share of the Produce going to a foreign Market; but all this they conceive might be thoroughly remedied, if there was a new County erected, and a proper Situation pitched upon for the Seat of Commerce and Juſtice; they therefore being conſcious that what is here offered, is eſſentially connected with the Good of the Public in general, as well as of the Inhabitants in particular, do pray this Houſe to grant them a ſpeedy and effectual Relief in all the Premiſes. *Ordered to lie on the Table.*

The Sheriff of the County of *Philadelphia* attending, was called in, and made a Return of a new Burgeſs choſen for the City of *Philadelphia*; but a Defect being obſerved in the ſaid Return (for that it was not ſigned by a full Number of Inſpectors or Freeholders) he was ordered to get the ſame amended, and then withdrew.

A Meſſage from the Governor, by the Secretary,

Mr. *Speaker*.

The Governor is now ready to receive the Houſe in the Council Chamber.

Then the Speaker with the whole Houſe waited on the Governor.

And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill to *Encourage the eſtabliſhing an Hoſpital for the Relief of the ſick Poor of this Province, and for the Reception and Cure of Lunatics*; to which the Governor was pleaſed to give his Aſſent, by enacting the ſame into a Law.

The Gentlemen appointed to ſee the Seal affixed to the Law that paſſed this Morning, report, that the ſame is done, and the Law depoſited in the Rolls Office, according to Order.

Adjournment Then the Houſe adjourned to the Twelfth Day of the *Sixth Month* next.

6th Mo. 12. THE Houſe met, purſuant to their Adjournment.

Ordered, That *Joſeph Trotter* and *Hugh Evans* wait upon the Governor, and acquaint him, that the Houſe is met purſuant to their Adjournment, and ready to receive any Thing he may have to lay before them.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 13. The Gentlemen appointed Yeſternight to wait on the Governor with the Meſſage of the Houſe, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe this Morning.

The Sheriff of *Philadelphia* having amended his Return, according to the Order of the Houſe at the laſt Sitting, it was laid before the Houſe and read;

And *Benjamin Franklin* being returned a Repreſentative to ſerve in Aſſembly for the City of *Philadelphia*, he was qualified, and took his Seat in the Houſe accordingly.

A Petition from *William Franklin* was preſented to the Houſe and read, praying to be appointed Clerk of this Houſe.

A Petition from *James Read*, of *Philadelphia*, Notary Public, was preſented to the Houſe and read, praying to be appointed Clerk of this Houſe.

Reſolved, That *William Franklin* be Clerk to this Houſe for the remaining Part of the current Year.

The Houſe took into Conſideration the State of the Acts *impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge* and *James Webb* be a Committee to prepare and bring in a Bill for repealing the Act, entituled, *A Supplement to the Act*, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*, paſſed in the Year 1749.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.* *William*

William Franklin took and subscribed the usual Qualification as Clerk of this House. 1751.

The Governor, by his Secretary, sent down a written Message to the House, together with sundry Papers therein referred to, which were read, and the Message follows in these Words, *viz.* *6th Mo. 13. Post Meridiem*

GENTLEMEN,

A Message from the Governor to the Assembly.

'YOU will herewith receive Messieurs *Croghan's* and *Montour's* Account of their Proceedings at the Delivery of the Present, voted by you last Fall, to the *Indians* at *Ohio:* And I am in Hopes you will find it arrived very seasonably, and has had a good Effect.

'By the Speech inserted in Mr. *Croghan's* Journal (said to have been made by Monsieur *Joncaire* by Order of the Governor of *Canada*) to the *Indians* assembled in Council, and by a Letter of the said *Joncaire* to me, of the Sixth of *June* last, which I have ordered to be laid before you, you will perceive the Extensiveness of the *French* Claims on this Continent: That they are not content with enjoying the Benefits of a free and unmolested Commerce themselves, without making it at the same Time exclusive of all others; and to that Purpose, have used their utmost Endeavours to prevail on those *Indians* to drive away our Traders from amongst them, and to discontinue any further Intercourse with them, on Pain of incurring the Displeasure of the *French* Government. But as their Menaces have not as yet had the desired Effect, it is not unreasonable to suppose, that when the last Answer of the *Indians* upon that Head shall be reported to the Governor of *Canada*, it will put him upon Measures to obtain by Force, what has hitherto been denied to every other Kind of Solicitation, in which should he succeed, a very valuable Branch of Trade will be entirely lost to this Province. The *Indians* themselves are so apprehensive of the Consequences of their refusing to comply with the *French* Demands, that they have earnestly requested this Government to erect a strong Trading House on the River *Ohio*, for the Protection of their Wives and Children, in case they should be obliged to engage in a War on that Account, and to serve likewise as a Place of Security to our Traders, without whose Assistance, they say they cannot live: And as I have it in Charge from the Honourable Proprietaries to recommend this Matter to you, and to make such an Offer of contributing to the Expence of erecting and supporting it, as I am persuaded you will think very generous; I cannot excuse myself from desiring you to give it a very serious Consideration, and to come to such Resolution thereupon as the present favourable Opportunity seems to point out.

'By a Letter herewith delivered you, which I have lately received from the Justices of *Cumberland* County, you will see that great Complaints are made of the Irregularities of many of the Persons concerned in the *Indian* Trade, and of the Difficulties that attend the bringing Offenders to Justice, in Countries so remote from the Inhabitants; whence it should seem, our Laws in that Respect stand in Need of some Alterations or Additions, to render them effectual for the good Purposes intended by them. Whenever therefore you shall think fit to take that Subject into Consideration, I shall readily concur with you in any Measures that may tend to the better inforcing the Laws already in being, or in making such new Provisions as may be thought necessary for the more regular and orderly carrying on that Trade.

, Mr. *Croghan* has been at a considerable Expence in bringing some Criminals to their Trial, and in supporting the Witnesses on their Journey, of which he has delivered in his Account; which you will please to inspect and discharge.

'Mr. *Montour* is expected in Town by my Order, to receive a Recompence for his Services, which, you will find, have taken up a great deal of his Time; and as I must do him the Justice to say that (by what appears to me) he has well performed what was intrusted to him, I hope you will pay him to his Satisfaction.

'Mr. *Weiser* is likewise expected in Town, and will relate to you his Proceedings in the Execution of my Instructions respecting the Delivery of the Present to the *Six Nations* at *Albany*.

August 13, 1751. *JAMES HAMILTON.*"

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*; was read the first time, and ordered a second Reading. *6th Mo. 14.*

Sundry Letters from the Agent in *London*, relating to the Affairs of the Province, were by the Speaker laid before the House, and read.

Ordered, That the Treasurer pay to the Trustees of the Loan-Office, the *Two Hundred Pounds* remaining unpaid of the *Thousand Pounds* put into the Treasury by the second £ 30,000 Act.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

1751. 6th Mo. 14. *Poſt Meridiem*

Ordered, That *Joſeph Trotter*, *Edward Warner*, *Joſeph Hamton*, *Thomas Cummings*, *Calvin Cooper*, *John Witherow* and *Hermanus Alrichs* be a Committee to inſpect and ſettle the Accounts of the incidental Charges of the current Year.

The Governor's Meſſage was again read, and conſidered, and the farther Conſideration thereof referred to To-morrow Morning.

Ordered, That the Clerk give Notice to *Conrad Weiſer* and *Andrew Montour*, to attend this Houſe To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 15. The Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*, was read a ſecond Time, and ordered to be tranſcribed for a third Reading.

The Governor's Meſſage was again read, and conſidered, and the farther Conſideration thereof referred to the Afternoon.

Conrad Weiſer and *Andrew Montour* attending according to the Order of Yeſternight, were called in; and anſwered ſuch Queſtions as were put to them, relating to the preſent State of *Indian* Affairs, and then withdrew.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

Ordered, That *Iſrael Pemberton* and *Benjamin Franklin* do carry up the following Meſſage to the Governor, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. BY ſeveral Addreſſes from the Aſſemblies of this Province, and particularly by our Meſſage of the Ninteenth of *October* laſt, the Reaſon we have to hope our Proprietaries will chearfully contribute towards the heavy Charges which are annually brought againſt the Province, on Account of *Indian* Affairs, will clearly appear: And as the Governor, in his Anſwer to our Meſſage, was then ſo kind as to aſſure us of his Interceſſion with the Proprietaries, we now requeſt he would be pleaſed to inform the Houſe what Progreſs he has made on this our reſpectful and reaſonable Application."

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 16. The Gentlemen appointed to wait on the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would ſend an Anſwer to the Houſe.

Ordered, That *Iſrael Pemberton* be added to the Committee of incidental Charges.

The Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*, being tranſcribed, was read the third time.

Reſolved, *N. C. D.* That the Bill do paſs.

Ordered, That *George Aſhbridge* and *Joſeph Hamton* wait on the Governor with the ſaid Bill, and deſire his Concurrence thereto.

A Petition from the Commiſſioners and Aſſeſſors of *Cumberland* County, in the Behalf, and at the Deſire of the far greater Part of the Inhabitants of the ſaid County, was preſented to the Houſe and read, ſetting forth, that a Majority of the Truſtees, in Purſuance of the Act of Aſſembly, whereby that County was erected, had made a Return to the Governor, of a Place at a Branch of *Connogochiego* Creek, about eight Miles from *Shippenſburgh*, by the Great Road to *Virginia*, praying a Location for a Court-houſe and Priſon there, and withal ſubmitting *Shippenſburgh* to the Governor's Choice, which they were fully perſuaded would have quieted the whole County, although it be *North-Eaſt* of the Center; yet it has pleaſed the Governor to remove their Courts of Juſtice to *Le Tort's* Spring, a Place almoſt at one End of the County, there it ſeems intending the Location of a Court-houſe and Priſon, to the great Grief and Damage of the far greater Part of the County, and by Means whereof the End of their being erected into a County can never be obtained; which was principally to free them from the very grievous Fatigue and Expence occaſioned by their great Diſtance from *Lancaſter*; from which they hoped to be eaſed, but inſtead of Eaſe their Yoke is likely to be heavier; for being but few in Number, it will be very expenſive for them to erect and maintain a County, eſpecially if they are laid under ſuch Diſadvantages as will enſue upon the placing of the County Town at *Le Tort's* Spring, for it will always impoveriſh them to carry and expend their public Money at the Extremity of the County, where it will never circulate back again; it will alſo occaſion great Oppreſſion to the Poor to pay the Coſts of Law Suits, by Reaſon of far Travel, as well as much prevent their annual Elections, the poorer Sort not being able to attend; that theſe Difficulties will be much increaſed to thoſe who may ſettle over the *North Mountain*, in the *Cove* or the *Path-Valley*, when thoſe Lands ſhall be purchaſed; that it does not appear to them, that it will be to the Proprietaries Advantage, or the Proſperity of the Town of *Carliſle*, for it will neceſſitate the Back Inhabitants to traffick in *Maryland* to the Damage of this Province;

vince; and that they can easily make it appear, that no good Waggon Road can be had over the *North Mountain*, untill they go beyond *Shippensburgh* up the *Valley*, where Waggons have already past over without any Cost or Trouble in clearing Roads, and which is withal the nigheſt Way to *Allegany*; that though they have made frequent Supplications to the Governor on this Head to no Purpoſe, yet being ſtill in Hopes of Relief, they had thought it beſt to defer building a Priſon, for Want of which, Eſcapes are made both by Felons and Debtors, to the great Damage of the County; they therefore pray that this Houſe would take their Grievances into Conſideration, and grant ſuch Relief as to them ſhall ſeem meet. *Ordered to lie on the Table.* 1751. 6th Mo. 16.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Gentlemen appointed to carry up the Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*, to the Governor, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would give it all the Diſpatch he could.

The Speaker informing the Houſe, that the Contributors to the *Pennſylvania* Hoſpital, had made it appear to his Satisfaction, that they had complied with the Terms of the late Act of Aſſembly, made to encourage the eſtabliſhing of the ſaid Hoſpital; and the Securities they had taken for the Sum of *Two Thouſand Pounds* contributed, being alſo laid before the Houſe, and appearing ſatisfactory, the Speaker, with the unanimous Conſent of the Houſe, ſigned an Order on the Truſtees of the Loan-Office, for the Payment of *Two Thouſand Pounds* to the Treaſurer of the ſaid Hoſpital, *One Thouſand Pounds* on demand, and the Remainder in Twelve Months.

The Governor, by his Secretary, ſent down a written Meſſage, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'AGREEABLE to your Requeſt in your Meſſage of *October* laſt, I acquainted the Honourable Proprietaries with your Expectation, that they would bear a Part of the Charges ariſing upon Treaties, and other Negotiations with the *Indians*. In Anſwer to which, they have been pleaſed to direct me to acquaint the Aſſembly, that they do not conceive themſelves under any Obligation to contribute to *Indian* or any other Public Expences, even though Taxes were laid on the People for the Charges of Government: But as there is not *One Shilling* levied on the People for that Service, there is the leſs Reaſon for aſking any thing of them. Nothwithſtanding which, they have charged themſelves with paying to the Interpreter much more than could be due to him on any Treaties for Land, and are at this Time at the Expence of maintaining his Son with a Tutor in the *Indian* Country, to learn their Language and Cuſtoms for the Service of the Province, as well as of ſundry other Charges on *Indian* Affairs. That they have been at conſiderable Expences for the Service of the Province, both in *England* and here: All which being conſidered, and that they purchaſe the Land from the *Indians*, and pay them for it, and that they are under no greater Obligation to contribute to the public Charges than any other Chief Governor of any of the other Colonies, they would have been well pleaſed to have been freed from the Neceſſity of giving a diſagreeable Anſwer to any Application upon that Subject.

Auguſt 16, 1751. *JAMES HAMILTON.*"

The Petition of ſundry Inhabitants of the Upper Parts of the County of *Bucks*, praying a Diviſion of the ſaid County, *&c.* was read a ſecond time, and referred to the Conſideration of the next Aſſembly.

The Petition of divers Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Cheſter* and *Lancaſter* Counties, praying for a new County, *&c.* was alſo read a ſecond time, and referred to the Conſideration of the next Aſſembly.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to audit and ſettle the Accounts of the General Loan-Office, and other public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members. 6th Mo. 17.

The Committee of incidental Charges, reported, on the Account of *Conrad Weiſer*, that there appeared to be due to him from the Province, the Sum of *Fifty-ſix Pounds Two Shillings* and *Six-pence*; and an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, for the Payment of the ſame.

And the Houſe conſidering the Committee's Report of the Services of *Andrew Montour* among the *Weſtern Indians*, and his Account of Expences, in carrying the Preſent to the *Twightwees*, &c.

Reſolved, That *Eighty Pounds* be paid to the ſaid *Andrew Montour*, in full Satisfaction for the ſame;

And an Order on the Treaſurer was drawn, and ſigned by the Speaker accordingly.

The

1751. 6th Mo. 17. The Meſſages from the Governor, of the Thirteenth and Sixteenth Inſtant, were again read, and conſidered.

Ordered, That *Iſrael Pemberton*, *John Smith*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper*, *John Witherow* and *Hermanus Alrichs* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſages, and to ſearch the Records and Minutes of the Houſe, and report what they find of the Sentiments of former Aſſemblies concerning the Expences of *Indian* Affairs, and in what Manner thoſe Expences have been uſually defrayed, and what Sums they find have been expended by this Province in thoſe Affairs for Twenty Years paſt.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

6th Mo. 19. *Poſt Meridiem*. A Petition from *John Potter*, High Sheriff of the County of *Cumberland*, ſetting forth, that he was commanded by a Warrant from the Chief Juſtice of this Province, to have and convey the Bodies of *Francis Fulken* and *Nehemiah Steen*, from the ſaid County of *Cumberland* to the City of *Philadelphia*, who are charged on Suſpicion of the Murder of one *Benjamin Moore*; that in Obedience to the ſaid Warrant, he had accordingly brought and delivered the above-mentioned two Perſons into the Charge of the Sheriff of the City and County of *Philadelphia*; that he had annexed an Account of his Charge for this public Service, which he prays this Houſe would allow, and give Directions for the Payment thereof; was preſented to the Houſe and read, and, with his former Account, referred to the Committee of incidental Charges.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

6th Mo. 20. *Reſolved*, That the Bill for preventing Frauds, and alſo for the Examination of Witneſſes in *Perpetuam Rei Memoriam*, and to authorize the Examination of Witneſſes living out of this Province of *Pennſylvania*, be referred to the Conſideration of the next ſucceeding Aſſembly.

The Queſtion being put, whether the Petition relating to Deer, *&c.* ſhould be referred to the Conſideration of the next ſucceeding Aſſembly; it *Paſt in the Negative.*

A Petition from *Jeremiah Starr*, Collector of the Exciſe for *Cheſter* County, praying to be continued in that Office, was preſented to the Houſe and read, and referred to further Conſideration in the Afternoon.

The Petition of *Joſeph Redman*, Collector of the Exciſe for *Philadelphia* County, praying to be continued in that Office, was read a ſecond Time, and referred to further Conſideration in the Afternoon.

The Petition of *Thomas Millhouſe*, of *Cheſter* County, praying to be appointed Collector of the Exciſe for that County, was read a ſecond time, and referred to further Conſideration in the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Petition of the Grand Jury of the County of *Cumberland* was read a ſecond time, and referred to the Conſideration of the next Aſſembly.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſages, reported the ſame to the Houſe, and it was read by Order, and referred to further Conſideration To-morrow Morning.

The Gentlemen appointed to view the River *Schuylkill*, &c. made their Report in Writing, which was read, and follows in theſe Words, *viz.*

Report from the Gentlemen appointed to view the River Schuylkill, &c. IN Obedience to the Order of the Houſe, we have viewed the River *Schuylkill*, and ſounded the Depths, and tried the Bottom in ſeveral Places from *Peters's* Iſland, near the Ford, down to *John Bartram's*, below the Lower Ferry, and are of Opinion, that the moſt convenient Place for a Bridge in all Reſpects is againſt or near the End of *Market-ſtreet*, where Capt. *Coultas* now keeps the Ferry. We have alſo had under our Conſideration ſundry Plans of Bridges, and Computations of the Expence of building them, but not being yet prepared to compleat our Report thereon, crave further Time for that Purpoſe.

THOMAS LEECH, BENJAMIN FRANKLIN,
PETER DICKS, ISRAEL PEMBERTON,
EDMUND WOOLLEY, SAMUEL RHOADS,
CASPAR WISTAR, JACOB LEWIS."
HUGH ROBERTS,

And the Houſe agreed to allow the ſaid Committee further Time, in order to finiſh their Report, which they are directed to bring in to the next Aſſembly; and the Petitions relating to the Bridge over *Schuylkill*, are referred to the Conſideration of that Aſſembly.

Reſolved, That *Joſeph Redman* be Collector of the Exciſe for the City and County of *Philadelphia*.

Reſolved, That *John Woolſton* be Collector of the Exciſe for the County of *Bucks*.

Reſolved, That *Jeremiah Starr* be Collector of the Exciſe for the County of *Cheſter*.

Reſolved,

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6th Mo. 20.

Resolved, That *Arthur Patterson* be Collector of the Excise for the County of *Lancaster*.

Resolved, That *David M'Connaughy* be Collector of the Excise for the County of *York*.

Resolved, That *James Lindsay* be Collector of the Excise for the County of *Cumberland*.

A Motion was made by the Trustees of the *Province Island*, that the House would allow a further Supply of Money for the finishing of the Buildings there, also that some Provision be made for a Person to reside on the Premises, to oversee and take Care of the Buildings, &c. which was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

6th Mo. 21.

The Answer to the Governor's Message was read Paragraph by Paragraph, and, after some Amendments, agreed to by the House, was ordered to be transcribed, that it may be sent up to the Governor.

The Committee of incidental Charges reported on the Accounts of *John Potter*, High Sheriff of *Cumberland*, that they are of Opinion the Sum of *Thirty-four Pounds* should be allowed him in full Discharge of both Accounts, to which the House agreed, and an Order was accordingly drawn on the Treasurer, and signed by the Speaker, for Payment of the same.

The Message to the Governor being transcribed was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

A Message from the Assembly to the Governor.

WE have a grateful Sense of the Governor's Care and Concern in *Indian* Affairs; the prudent Management of which is of great Importance to the Peace and Safety of these Colonies, but if it should be agreeable with the Governor's Sentiments, we would wish, that such as may hereafter be employed on Business with the *Indians*, might be cautioned against charging themselves with Letters from every inferior *French* Officer, who shall presume to send down his Threats or pretended Claims to our Governor, in order to give himself an Air of Authority among our *Indian* Allies.

The Informations of *Conrad Weiser* and *Andrew Montour*, on their Arrival in Town, since the Governor's Message of the Thirteenth Instant, we suppose have given the Governor, as well as the House, Reason to believe that the Request inserted in *George Croghan's* Journal, which the Governor was pleased to lay before the House, as made by the *Indians* at *Ohio* to this Government, to erect a strong Trading House in their Country, as well as the Danger, 'tis there said, they apprehended from the Attempts of the *French*, have been misunderstood or misrepresented by the Person in whom the Governor confided for the Management of that Treaty.

We have seriously considered the Offer made by our Proprietaries, of contributing towards building such a House; but as we have always found that sincere, upright Dealing with the *Indians*, a friendly Treatment of them on all Occasions, and particularly in relieving their Necessities at proper Times by suitable Presents, have been the best Means of securing their Friendship, we could wish our Proprietaries had rather thought fit to join with us in the Expence of those Presents, the Effects of which have at all Times so manifestly advanced their Interest with the Security of our Frontier Settlements.

As it appears from the late notorious Disorders among the *Indian* Traders, as well as from the Representation of the Magistrates of *Cumberland*, that some very unfit Persons are at present employed in that Business, we hope the Governor will enjoin the Justices of the County Courts to be more careful for the future whom they recommend for Licences; and whatever is thought further necessary to enforce or amend the Laws now in being, for regulating the *Indian* Trade and Traders, may be considered by the ensuing Assembly in the Winter Sitting; when the Members are generally most at Leisure to attend closely to public Business.

We have paid the Accounts of our Interpreters, as we hope, to their full Satisfaction, and have the other Accounts mentioned by the Governor under our Consideration."

And the Message being signed by the Speaker by Order of the House,

Ordered, That *John Smith* and *Joseph Fox* wait upon the Governor with the same, and desire to know when the House may expect his Result on the Bill now before him.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Post Meridiem.

The Gentlemen appointed to wait on the Governor with the Message of this Morning, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he had already sent down the Bill with an Amendment.

The Governor, by his Secretary, sent down to the House, the Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into*

1751. *this Province*, with a propoſed Amendment, which being read, and conſidered, the Houſe agreed thereto, and ordered the Bill to be engroſſed.

Adjournment 6*thMo.* 22. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, ſent down to the Houſe ſome Letters on *Indian* Affairs, which he received laſt Night from Governor *Clinton*, of *New-York*; and they were read, and ordered to lie on the Table for the Peruſal of the Members.

The Committee appointed to ſearch the Records and Minutes of the Houſe relating to *Indian* Affairs, made their Report thereupon in Writing, which was read, and conſidered, and follows in theſe Words, *viz.*

Report from the Committee appointed to ſearch the Records, &c.

IN Purſuance of the Order of the Houſe, we have examined the Journals of the Proceedings of the Aſſemblies of this Province, on what relates to the Charges of Treaties and other Affairs with the *Indians*, by which we find,

That the Expences on theſe Occaſions were very inconſiderable till the Year 1722, there being a Proviſion made by Law to limit them to £ 50 *per Annum*; and when Accounts were exhibited to the Houſe of a larger Charge on theſe Occaſions, great Caution was uſed in allowing them.

In the Year 1722 a general Treaty was held at *Albany* with the *Indians* of the *Six Nations* by the Governors of *New-York* and *Virginia*, at which Sir *William Keith*, then Governor of this Province, with ſeveral of his Council, was deſired by the Aſſembly to attend (in order to ſatisfy the *Indians* of the Care and Juſtice of this Government, to puniſh ſome Perſons, by whom one of them had been lately killed) and the Aſſembly agreed to advance £ 230 to defray the Governor's Expences, and the Coſt of Preſents made to the *Indians* on that Occaſion.

From that Time till the Year 1727, there does not appear to have been any Expences on theſe Affairs paid by the Public, but in that Year an Account amounting to about £ 70 being exhibited, the Aſſembly allowed one Half of it, and left the reſt to be paid by the Proprietary.

In the Year 1728 ſome unuſual Apprehenſions of Danger from the *Indians* appeared, and the Province being at that Time under great Difficulties in other Reſpects (from ſome Party Diſputes then ſubſiſting) the Aſſembly requeſted Governor *Gordon* to hold a Treaty with the *Indians*, and promiſed to pay the Expences of it: And this is the firſt Inſtance we find of a general Engagement made by any Aſſembly of this Kind; and we apprehend, the Circumſtances of the Proprietary Family at that Time induced the Repreſentatives of the People freely to contribute more of the Public Money than uſual, to anſwer the preſſing Exigencies of that Occaſion.

After which, the firſt Article of Expence is in 1733, the Year after the Arrival of our Proprietary THOMAS PENN in this Province, at which Time the People paid the Expence of a Treaty with the *Indians*, being deſirous of demonſtrating their Reſpect to the Proprietary Family, and of preſerving the Memory of our firſt worthy Proprietary in the Minds of the *Indians*, with that Reverence and Reſpect they have ever profeſſed for him.

And the ſame Conſiderations, we believe, induced the Aſſembly, on the Arrival of our Proprietary JOHN PENN, to defray the Expence of a Treaty with ſome *Indians*, who came down to pay him a Viſit.

Theſe, we apprehend, were the Reaſons, by which the People were firſt induced to bear ſo large a Part of the Expences on *Indian* Affairs; yet conſtantly there appear Proofs of the People conſidering theſe Contributions as their free Gift: And in ſeveral Inſtances we find they refuſed to pay more than Half of the Charge on theſe Occaſions, leaving the reſt to be paid by the Proprietary.

After the Commencement of the late War, the Aſſembly thought it proper to demonſtrate, that they were not induced by mercenary Motives, to refuſe joining in the making any Military Preparations, and therefore contributed towards cultivating our Friendſhip with the *Indians*, and on ſeveral other Occaſions, more largely, than before that Time had ever been done by their Predeceſſors.

But the Danger of introducing Precedents of this Kind ſeems to us very manifeſt in this Inſtance; their Liberality in granting theſe large Supplies being now interpreted to authorize the fixing the whole Charge of *Indian* Affairs on the Public. And as the generous Allowances lately made (amounting within four Years paſt to near £ 5000) have had the deſired good Effect of confirming our Alliances with the *Indians*, the preſent Opportunity ſeems to us very proper to enter into the Conſideration of the Proportion the People ſhould pay of ſuch Charges as may hereafter ariſe on the like Occaſions; which is nevertheleſs ſubmitted to the Houſe.

ISRAEL PEMBERTON, junior,
JOHN SMITH,
BENJAMIN FRANKLIN,
MAHLON KIRKBRIDE,
THOMAS CUMMINGS,
CALVIN COOPER,
HERMANUS ALRICHS."

Account

Account of Expences on Indian *Affairs paid out of the Provincial Stock by the Treasurer and Trustees of the Loan-Office*, viz. 1751. 6th Mo. 22.

Anno 1733	£	446	0	8½
1734		13	1	11
1735		143	3	7
1736		59	1	5
1737		359	17	6½
1739		230	12	11
1740		376	13	7¼
1742		592	10	7¾
1743		518	0	9
1744		303	10	9½
1745		319	13	0
1746		428	10	4
1748		1,158	8	0
1749		908	3	10
1750		1,249	5	7
1751 (besides several Accounts not yet adjusted)		1,259	5	11
	£	8,366	0	6½

The farther Consideration of the said Report was referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Report of the Committee appointed to search the Records, *&c.* relating to *Indian* Affairs, being again read, and considered, was unanimously approved of, and agreed to, by the House.

And the Governor's Message of the Sixteenth Instant being again read, and considered,

Resolved, N. C. D. That it is the Opinion of this House, that the Proprietaries Interest will be so greatly advanced by keeping up a firm Peace and friendly Correspondence with the *Indians*, that they ought to bear a proportionable Part of the Charges expended upon all such Treaties as tend to those good Purposes.

Resolved, N. C. D. That although Provincial Taxes have not been laid here for some Time past in a formal Manner, for the Support of the Proprietaries Lieutenant Governor, and defraying the Charges of *Indian* Treaties, yet our Excise is really a Tax upon the Province, yielding about *Three Thousand Pounds per Annum*, which is principally appropriated to those Purposes, besides the Sums arising upon Licences, *&c.* throughout the Province, amounting to very considerable Sums yearly.

Resolved, N. C. D. That the Assemblies of this Province have always paid the Accounts of our *Indian* Interpreters for their public Services, to their full Satisfaction. And we hope that all such Charges as the Proprietaries may pay at this, or any future Time, for maintaining the Son of our Provincial Interpreter in the *Indian* Country (should it please God to bless their good Intentions) will be gratefully repaid by his future Services.

Resolved, N. C. D. That the Proprietaries by the Royal Charter are obliged to have an Agent to represent them at the Court of *Great-Britain*, and this Province have thought fit to appoint an Agent there also at a great Expence. Nevertheless, if any Expences properly chargeable upon this Province have been paid by the Proprietaries, we make no Doubt our future Assemblies will chearfully discharge all their just Debts, whenever such Accounts are exhibited.

Resolved, N. C. D. That the Proprietaries being Lords of the Soil, as well as Governors in Chief of this Province, are more nearly interested in the Prosperity of this Colony, than any other Governors in *America*, not so circumstanced, are or can be.

Resolved, N. C. D. That the Law of this Province passed in the Twelfth Year of the late King WILLIAM, entituled, *An Act against buying Land of the Natives*, is for the sole Benefit of the Proprietaries; therefore they ought to bear the whole Expences of all Treaties with the *Indians* for Lands only; and that the Law we conceive cannot in Justice be alledged as any Reason for nor bearing a Part of such other Treaties with the *Indians*, as tend to the Welfare and Peace of this Province.

Resolved, N. C. D. That the Proprietaries Interests are so constantly intermixt with those of the Province in all Treaties with our *Indian* Allies, that we apprehend the surest Way to prevent Dissatisfactions on all Sides, will be to request the Proprietaries in the most reasonable and in the most respectful Manner, to agree upon a proportionable Part of all such Charges on Account of *Indian* Treaties as may hereafter accrue, to be paid by the Proprietaries and Province, respectively, as in Justice they ought to do.

Ordered, That *Israel Pemberton*, *John Smith*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper*, *John Witherow* and *Harmanus Alrichs* do prepare a Draught of an Address to the Proprietaries, pursuant to the foregoing Resolves, and report the same to the House.

Then

1751. 6th Mo. 23. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province*, being engroſſed with the Amendment, was read.

Ordered, That *Mahlon Kirkbride* and *Thomas Cummings* wait upon the Governor and acquaint him, that the Houſe have agreed to his propoſed Amendment, and deſire that he would appoint a Member of Council to join with one of this Houſe, in order to compare it with the Original. And further deſire to know, when the Governor will be pleaſed to receive the Houſe, in order to the enacting the ſaid Bill into a Law.

Reſolved, That *Two Hundred Pounds* be put into the Hands of the Truſtees of the *Province Iſland*, towards finiſhing the Buildings there.

And an Order was accordingly drawn on the Truſtees of the Loan-Office, and ſigned by the Speaker, for Payment of the ſame.

The Petition from the Commiſſioners and Aſſeſſors of *Cumberland* County, was read a ſecond time, together with the Law for eſtabliſhing the ſaid County; and the Petition was referred to the Conſideration of the next Aſſembly.

The Gentlemen appointed to wait on the Governor, being returned, report, that they had been at his Houſe, but were informed that he was out of Town.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Addreſs to the Proprietaries, reported the ſame to the Houſe, which was read, and approved of, and ordered to be tranſcribed.

The Committee of Grievances made a Report in Writing, which was read, and follows in theſe Words, *viz.*

Report from the Committee of Grievances.

WE the Committee of Aggrievances do report, that we have inſpected the Liſts of the Number of licenced public Houſe-keepers laid before this Houſe, for the Years 1749 and 1750, and do find, that according to the Liſt of 1749, there was in that Year to the Number of Three Hundred and Thirty-nine, and by the Liſt of 1750, there is now Three Hundred and Thirty-eight public licenced Houſe-keepers in the Province.

JOSEPH TROTTER,
GEORGE ASHBRIDGE,
JOSEPH HAMTON."

Adjournment 6th Mo. 24. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Members appointed to wait upon the Governor, report, that the Governor was not yet come to Town, but that he deſired the Secretary to acquaint the Houſe in his Name, that he had appointed the Secretary to join a Member of this Houſe to compare the Bill which had paſſed the Houſe with his Concurrence, and that he would be ready in the Council Chamber at Ten o'Clock preciſely, in order to enact the ſame into a Law.

Ordered, That *Joſeph Fox* meet the Secretary, and compare the Bill with the Governor's Amendments.

Reſolved, That an Order be drawn on the Provincial Treaſurer for the Payment of *Four Hundred Pounds* to the Honourable JAMES HAMILTON, Eſq; Governor of this Province, being the Remainder of his Support for the current Year.

And the ſaid Order was accordingly drawn and ſigned by the Speaker.

A Memorial was preſented to the Houſe from the Adminiſtrators of *John Kinſey*, Eſq; which follows in theſe Words, *viz.*

To the Repreſentatives of the Freemen of the Province of Pennſylvania, *in General Aſſembly met,*

William Plumſted and *Iſrael Pemberton*, jun. with all due Reſpect, beg Leave to repreſent,

A Memorial from the Adminiſtrators of John Kinſey, Eſq;

THAT we having, on the Deceaſe of our worthy Friend *John Kinſey*, undertaken the Adminiſtration of his Eſtate, immediately adjuſted the Accounts of the Loan-Office, with the ſurviving Truſtees and the Committee of Aſſembly, and paid into their Hands all the Money which remained in his Cuſtody belonging to the Province.

That it appears to us, by an Account drawn out by *John Kinſey* in his Life-time, and other Proofs, that about *Twelve Hundred Pounds* of the public Money was embezled and ſpent by a Perſon, whom he intruſted for ſome Years as his Clerk; by which we were then prevented of paying the whole Sum due to the Province.

That this Deficiency evidently appearing to be occaſioned by his having ſuſtained this Loſs, Juſtice to the Memory of our deceaſed Friend, requires our making this Repreſentation. And as we are now ready to pay the Balance due to the Province, we requeſt the Houſe, on Conſideration of the Premiſes, to give ſuch Directions concerning the

Diſcharges

Discharges to be given to us, as may sufficiently indemnify us and our Estates from any future Objections or Controversies on this Occasion. 1751. 6th Mo. 24.

ISRAEL PEMBERTON, jun.
WILLIAM PLUMSTED.

Ordered, That the Administrators of the Estate of *John Kinsey*, Esq; late Trustee of the Loan-Office, pay the Balance due from said Estate to the Public, into the Hands of the present Trustees.

The Address to the Proprietaries being transcribed, was again read, and by Order of the House was signed by the Speaker.

Ordered, That *Israel Pemberton* and *Benjamin Franklin* wait upon the Governor, and acquaint him, that the House have read and considered the Letters he was pleased to lay before them concerning *Indian* Affairs, and thank him for the early Communication of such Intelligence; and request the Governor's Care to do what may be proper in Consequence thereof. And further, that they acquaint the Governor, that the House are inclined to adjourn this Day to the thirtieth of *September*.

Ordered, That *Joseph Fox* and *Evan Morgan*, see the Great Seal affixed to the Law after it is passed, and that the same be deposited in the Rolls Office.

The Gentlemen appointed to wait on the Governor, return, and report, that they had delivered the Message of the House according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

A Message from the Governor, by the Secretary, that the Governor was now ready to receive the House in the Council Chamber.

Then the Speaker, with the whole House waited on the Governor: And being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor with the Bill for repealing an Act, entituled, *A Supplement to the Act*, entituled, *An Act for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province*, which he was pleased to enact into a Law; that the Speaker had also presented to the Governor the Order of the House for his Support, which he was pleased thankfully to accept; that the Speaker had likewise delivered to the Governor the Representation of this House to the Proprietaries, with the Request of the House, that he would transmit the same to them, which he was pleased to say he would do by the first Opportunity.

Resolved, That *George Spofford* be the Officer for putting in Execution the Acts remaining in Force *for imposing a Duty on Persons convicted of heinous Crimes, and to prevent poor and impotent Persons being imported into this Province.*

Resolved, That *Two Hundred Pounds Sterling* be remitted to *Richard Patridge*, Esq; Agent of this Province, to lie in his Hands for public Services, and to be accounted for hereafter.

The Committee of incidental Charges, report their Examination of sundry Accounts of Services done the Public, and such Allowances were made as the House judged reasonable.

The Gentlemen appointed to see the Seal affixed to the Law, and the same deposited in the Rolls Office, report, that they had performed that Service accordingly.

The Accounts of *George Croghan* are referred to the Consideration of the succeeding Assembly.

Part of Dr. *Græme's* Account, for Medicines sent the *Indians* at *Shamokin*, was also referred to the Consideration of the next Assembly.

Then the House adjourned to Two o'Clock, *P. M.* Adjournment.

The Report of the Committee of public Accounts, was approved of by the House, and follows in these Words, *viz.* *Post Meridiem.*

WE, *the* COMMITTEE *appointed by the Assembly of the Province of* Pennsylvania, *to audit and settle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts; and to sink and destroy the Bills of Credit, received in Exchange, pursuant to the late Paper-Money Acts*, REPORT,

Report of the Committee appointed to settle the Accounts of the General Loan Office.

THAT upon a strict Examination of all the Mortgage Deeds whereon any Quotas are due taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged,

WE find there are principal Sums or Quotas thereon to become due (after the 4th of the Fifth Month last) and payable to the Trustees, the Sum of — £ 46,813 10 0

That the Quotas outstanding, and then due on all the Mortgage Deeds in the said Office, amounted to — 14,572 9 2

That it appears by a List of 198 Mortgages, taken on the fourth Re-emission of the second £ 80,000 Act, there has been lent out thereon, the Sum of — 12,684 0 0

And by a List of 85 Mortgages, taken on the fifth Re-emission of the same Act, the Sum of — 5,764 0 0

Carried over £ 79,833 19 2

1751. 6th Mo. 24.

		Brought over	£ 79,833 19 2
That ſeveral Sums lent the Public, to be repaid into the Hands of the Truſtees, were not paid on the 4th of the Fifth Month laſt, viz.			
The whole Sum appropriated towards building the State-Houſe,	2,000 0 0		
The Balance due of the Sum lent the City of Philadelphia	156 0 0		
The Balance due of the Sum lent the ſaid City forbuilding Alms-Houſes,	187 10 0		
The Sum remaining of what was lent the Province, and put into the Hands of the Provincial Treaſurer,	200 0 0		
			£ 2,543 10 0
		Makes the whole Sum,	£ 82,377 9 2

THAT the Truſtees on Account of Intereſt, are Charged with the Balance due to the Province at laſt Settlement in 1750, £ 1,409 4 4

And with the Intereſts outſtanding on all the Mortgage Deeds at ſaid Settlement, £ 8,205 8 7

From which deduct,

For a Loſs on Samuel Hough's Mortgage, on the firſt Re-emiſſion of the ſecond £ 30,000 Act,	£ 1 17 4	
For Ditto, on John Elfreth's fifth Re-emiſſion of the ſame Act,	9 9 6	
For a Miſtake in carrying on the Intereſt of Edward Berwick's Mortgage on the fifth Re-emiſſion of the firſt £ 80,000 after it was diſcharged,	6 0 0	
For Ditto, on Joſeph Comely's Mortgage on the ſixth Re-emiſſion of the firſt £ 80,000	3 0 0	
For a Miſtake on Emanuel Jones's Mortgage on the firſt Re-emiſſion of the ſecond £ 80,000	0 17 7	
For Twenty Shillings over-charged on Thomas Morris's Mortgage, and the ſame on John Steel's both being on the ſecond Re-emiſſion of the ſecond £ 80,000	2 0 0	
	£ 23 4 5	

Makes the true Intereſt outſtanding laſt Year,	£ 8,182 4 2	
To the Intereſt ariſing on all the Mortgage Deeds for the current Year,	2,830 0 1½	
To the broken Intereſt received ſince laſt Settlement,	2,160 8 10¾	
		£ 14,581 17 6¼

THAT the Truſtees have Credit for the Intereſt, which upon a careful Examination of the Indorſements upon all the Mortgage Deeds in the Office, appears to have been outſtanding and due on the 4th of the Fifth Month laſt, amounting to £ 6,688 6 7½

Paid ſundry Orders for Aſſembly Men's Wages, the Whole	354 12 6
Paid the Truſtees of the Province Iſland, towards building Peſt-Houſes,	600 0 0
Paid Charles Brockden in Part of his Account,	270 0 0
Paid William Trotter for ſigning 45,332 ſmall Bills, at Fifteen Shillings per Thouſand,	34 0 0
Paid to James Webb for ſigning 45,339 Ditto, at Ditto,	34 0 1
Paid Benjamin Franklin, per Order of the Houſe,	264 12 5
Paid Thomas Leech, towards the new Addition to the State-Houſe,	600 0 0
Paid Samuel Kirk, for eight Cord of Hickery-wood for the Aſſembly,	10 2 4
Paid Lynford Lardner, for the Proprietaries, purſuant to Act of Aſſembly,	130 0 0
Paid Part of the Truſtees Salary for laſt Year, not accounted for in the laſt Settlement,	190 0 0
Paid the Truſtees Salary for the current Year, four of them due the 16th of the Third Month, and the other in the Sixth Month,	500 0 0
By a Loſs on John Elfreth's Mortgage for Quota Account,	19 15 0
By Balance remaining due from the Eſtate of John Kinſey,	1,122 5 7
By Allowance per Law for exchanging £ 4,668 19 0 for torn Bills, at Fifty-five Shillings per Thouſand,	12 16 8
	£ 10,830 11 2½
Balance in the Hands of the Truſtees due to the Province	3,751 6 3¾
	£ 14,581 17 6¼

WE do likewiſe Report, that we have examined the Provincial Treaſurer's Accounts, and find that he Credits the Province for Balance due at the laſt Settlement in the 6th Month, 1750, 173 7 11

By ſundry Sums received on Judah Foulke's Account,	644 9 1½
By Caſh received from Joſeph Redman, Collector of Exciſe for the City and County of Philadelphia,	2,703 4 8
By Ditto from John Woolſton, Collector for Bucks,	165 0 0
By Ditto from Jeremiah Starr, Collector for Cheſter,	382 8 6½
By Ditto from Arthur Patterſon, Collector for Lancaſter,	250 5 0
By Ditto from David M'Connaughy, Collector for York,	28 2 0
By Ditto from Benjamin Chambers, Collector for Cumberland,	13 18 0
	£ 4,360 15 3

THAT he charges the Province with ſundry Sums, paid in Purſuance of the Orders or Votes of the Houſe of Aſſembly, viz.

To an Order paid Thomas Cummings,	4 10 0
To Ditto paid Samuel Kirk,	9 0 0
To Ditto paid Thomas Græme, Eſq;	60 0 0
To Ditto paid Ditto,	16 5 0
To Ditto paid Mary Burden,	4 12 6
To Ditto paid Charles Stow,	5 5 0
To Ditto paid John Biddle,	3 0 0
To Ditto paid Edward Kelly,	9 9 10
To Ditto paid Tench Francis,	70 0 0
Carried over	£ 182 2 4

					1751.
Credit brought over				£ 4,360 15 3	
Debit brought over	182	2	4		
To Ditto paid Benjamin Franklin,	73	8	6		6th Mo. 24.
To Ditto paid Conrad Weiser,	20	0	6		
To Ditto paid Richard Peters,	19	5	0		
To Ditto paid Andrew Montour,	92	1	6		
To Ditto paid William Till, Esq;	60	0	0		
To Ditto paid Thomas Leech,	20	0	0		
To Ditto paid Oswald Peele,	4	0	0		
To Ditto paid Isaac Norris,	5	0	0		
To Ditto paid Richard Peters for the Governor,	400	0	0		
To Ditto paid Edward Warner,	10	0	0		
To Ditto paid Conrad Weiser,	38	14	11		
To Ditto paid Mahlon Kirkbride,	1	10	0		
To Ditto paid Ralph Kilgore and Maurice Turner,	10	0	0		
To Ditto paid William Logan, for Goods purchased for the Indians,	610	7	0		
To Ditto paid Richard Peters for the Governor,	600	0	0		
To Ditto paid Conrad Weiser for Carriage of Goods to Ohio,	200	0	0		
To Ditto paid Isaac Norris for a Bill of Exchange of £ 100 Sterling for Richard Patridge, Agent of the Province,	170	0	0		
To Ditto paid Richard Peters for a Present of Condolence to the Six Nations,	100	0	0		
To Ditto paid Conrad Weiser in full for Carriage of Goods to Ohio,	30	0	0		
To Ditto paid the Trustees of the Loan-Office in Pursuance of the Act that gave £ 5,000 to the King's Use,	500	0	0		
To Ditto paid in full for Money put into the Treasury by the second £ 30,000 Act,	200	0	0		
To Ditto paid Arthur Patterson for Jane Tear, the 19th of the Sixth Month, 1749,	12	0	0		
To Ditto paid William Clark of the same Date,	1	10	0		
	£ 3,359	19	3		
To Commissions at 5 per Cent,	167	19	11		
Balance due to the Province,	832	16	1		
				£ 4,360 15 3	

THAT we Charge Judah Foulke, former Collector of Excise for the City and County of Philadelphia, with the Balance due to the Province at the Settlement in the Sixth Month, 1750, being — 1,328 9 9
To sundry Sums received upon Entries made after the first of the Fourth Month, 1750, — 111 15 11
To ditto received on the Lists which he rendered as Outstandings, — 94 19 8
To ditto received on the List of Outstandings delivered him by Rees Meredith, — 11 14 10
£ 1,547 0 2

That we Credit Judah Foulke for two Lists of Outstandings delivered to Joseph Redman, present Collector, — £ 832 15 2
By Cash paid to Michael Lightfoot, Provincial Treasurer, — 644 9 1½
By his Commissions thereon, at 5 per Cent, — 32 4 5½
£ 1,509 8 9
Balance due to the Province, 37 11 5
£ 1,547 0 2

FROM which Balance deduct Commissions, at 5 per Cent, is £ 1 17 7 leaves £ 35 13 10 to be paid to the Provincial Treasurer, in full Discharge of this Account.

THAT we have examined Joseph Redman's Account, relating to the Lists rendered by Judah Foulke, as Outstandings, and find that he Credits the Province with the said Lists, amounting to — £ 832 15 2
That he Charges the Province with sundry Sums which Judah Foulke received in Part of these Lists — 94 19 8
To Cash paid Michael Lightfoot, Provincial Treasurer, — 504 10 7
To Commissions thereon, at 5 per Cent, — 25 4 6
624 14 9
Balance due to the Province, a considerable Part of which is not likely to be received. — 208 0 5
£ 832 15 2

THAT we have examined the Accounts of Joseph Redman, present Collector of Excise for the City and County of Philadelphia, and find that he Credits the Province for the whole Amount of Entries from June 1, 1750, to June 1, 1751. — £ 2,317 16 10
By sundry Retailers, at l. 3 per Annum, per List, — 148 15 0
By one Half of sundry Fines, — 48 16 9
£ 2,515 8 7

That he Charges the Province with sundry Sums which Judah Foulke received, and is settled in his Account, — 111 15 11
To Cash paid Michael Lightfoot, Provincial Treasurer, — 2,198 14 1
To Commissions on ditto, at l. 5 per Cent, — 109 18 9
2,420 8 9
Balance due to the Province, 94 19 10
£ 2,515 8 7

We have now delivered to Joseph Redman the Remainder of the List of Outstandings returned by Rees Meredith to Judah Foulke, upon which there is yet due l. 90 9 6.

THAT we Charge William Atkinson, former Collector of Excise for the County of Bucks, with the Balance due from him at the Settlement in 1749, £ 87 1 6
And for a List of Entries made with him, from the Date of that Settlement to the Time of his Decease, as taken from his Books by John Hall, — 31 18 9
Carried over £ 119 0 3

1751. 6th Mo. 24.

		Brought over		119 0 3
That we Credit William Atkinſon,				
By Caſh paid in his Life-time to Michael Lightfoot, Provincial Treaſurer,		20 0 0		
By his Commiſſions thereon, at 10 per Cent,		2 0 0		
By John Hall, whom we charge for ſundry Sums collected by him, of William Atkinſon's Outſtandings,		92 14 6		
By John Woolſton, whom we charge for the Balance collected by him,		4 5 9		
			£	119 0 3
THAT we charge John Hall, late Collector of Exciſe for the County of Bucks, with ſundry Sums received by him for Outſtandings on William Atkinſon's Books, as per Liſt delivered us by the Provincial Treaſurer,		92 14 6		
And with Money collected for Entries made with himſelf ſince his being Collector, as extracted from his Books by the Provincial Treaſurer,		51 16 10		
And with ſeveral Sums taken as Outſtandings from John Hall's Books, which John Woolſton diſcovered to have been received by him,		19 18 7		
			£	164 9 11
That we Credit John Hall,				
By Caſh paid to Michael Lightfoot, Provincial Treaſurer,		73 5 0		
By Commiſſions thereon at 10 per Cent,		7 6 6		
		80 11 6		
Balance due to the Province,		83 18 5		
			£	164 9 11
THAT we have examined the Accounts of John Woolſton, preſent Collector of Exciſe for the County of Bucks, and find that he Credits the Province for the Balance of William Atkinſon's Account collected by him,		4 5 9		
By a Liſt of Outſtandings taken from John Hall's Books,		93 5 9		
By a Liſt of Entries made with himſelf from the Time of his becoming Collector, to the 1ſt of the Fourth Month laſt,		93 2 4		
			£	190 13 10
That he Charges the Province with				
Caſh paid to Michael Lightfoot, Provincial Treaſurer,		165 0 0		
To Commiſſions thereon at 10 per Cent,		16 10 0		
		181 10 0		
Balance due to the Province,		9 3 10		
			£	190 13 10
THAT we have examined the Accounts of Jeremiah Starr, Collector of Exciſe for the County of Cheſter, and find that he Credits the Province for the Balance due at the Settlement in the Sixth Month, 1750,		73 14 0		
By the whole Amount of Entries from the 1ſt of the Fourth Month, 1750, to the 1ſt of the Fourth Month, 1751,		556 5 0		
By ſundry Retailers at l. 3 per Annum, as per Liſt,		21 0 0		
By Half a Fine received from John Bunting,		1 0 0		
			£	651 19 0
That he Charges the Province with Caſh paid to Michael Lightfoot, Provincial Treaſurer,		382 8 6½		
To Commiſſions thereon at 10 per Cent,		38 4 9½		
To a Loſs on Chriſtian Long's Exciſe, rendered outſtanding in 1748,		2 19 6		
		423 12 10		
Balance due to the Province,		228 6 2		
			£	651 19 0
THAT we have examined the Accounts of Arthur Patterſon, Collector of Exciſe for the County of Lancaſter, and find that he Credits the Province for Balance due at the laſt Settlement, in 1750,		154 12 4		
By Amount of Exciſe from the 1ſt of June, 1750, to the 1ſt of June, 1751,		269 9 0		
			£	424 1 4
That he Charges the Province with Caſh paid to Michael Lightfoot, Provincial Treaſurer,		250 5 0		
To Commiſſions thereon at 10 per Cent,		25 0 6		
		275 5 6		
Balance due to the Province,		148 15 10		
			£	424 1 4
THAT we have examined the Accounts of David M'Connaughy, Collector of Exciſe for the County of York, and find that he Credits the Province by Amount of Exciſe, from the 1ſt of June, 1750, to the 1ſt of June, 1751,			£	39 15 4
That he Charges the Province to Commiſſions on £ 32 6 10 paid laſt Year,	£	3 4 8		
To Caſh paid Michael Lightfoot Provincial Treaſurer,		28 2 0		
To Commiſſions thereon at 10 per Cent,		2 16 2½		
		34 2 10½		
Balance due to the Province,		5 12 5½		
			£	39 15 4
THAT Benjamin Chambers, Collector of Exciſe for the County of Cumberland, hath not delivered or ſent to us any Accounts relating to the Exciſe of the ſaid County, but we find the Treaſurer Credits the Province by Caſh received from him,			£	13 18 0
THAT it appears by the Report of the Committee laſt Year, there remained in the Hands of the Truſtees, to exchange old and ragged Bills, viz.				
Of the Bills ſtruck for that Purpoſe by the £ 80,000 Act,		2,272 19 0		
Of thoſe ſtruck by the £ 10,000 Act,		4,425 15 6		
Of the ſmall Bills or Tickets,		4,901 19 0		
			£	11,600 13 6
And we do further report, that we have burnt and deſtroyed of the above-ſaid Sum, viz.				
Of the old and ragged Bills of the ſeveral Emiſſions ſtruck before the £ 80,000		158 11 6		
And of old and torn Bills of the £ 80,000 and £ 10,000		3,667 15 10		
And of ſmall Bills or Tickets,		342 11 8		
Makes the whole Sum burnt this Year,			£	4168 19 0

Which leaves in the Hands of the Truſtees for exchanging of torn and ragged Bills, the Sum of — — — — £ 7,431 14 6 1751, 6th Mo. 24.
And laſtly, we report, that we have burnt and deſtroyed in Purſuance of the Act that gave £ 5,000 to the King's Uſe, the Sum of — — — 500 0 0

Submitted to the Correction of the Houſe, 6th Month 16, 1751, by

THOMAS CUMMINGS,
EVAN MORGAN,
JOHN SMITH,
EDWARD WARNER,
JOSEPH FOX."

Ordered, That the Truſtees of the Loan-Office keep the Borrowers more ſtrictly to their Payments for the future.

Then the Orders for the Payment of the ſeveral Salaries and Allowances made by the Houſe, being prepared, and ſigned by the Speaker by Order of the Houſe,

The Houſe adjourned to the Thirtieth of *September*.

INCIDENTAL CHARGES.

Incidental Charges.

TO the Honourable JAMES HAMILTON, Eſq; Lieutenant-Governor, his Support for the current Year,	£ 1000	0	0
To *William Allen*, Eſq; Chief Judge of the Supreme Court,	200	0	0
To *Lawrence Growdon*, Eſq; Second Judge of the Supreme Court,	60	0	0
To *Caleb Cowpland*, Eſq; Third Judge of the Supreme Court,	60	0	0
To *Richard Patridge*, Eſq; his Salary as Agent, £ 100 Sterl.	170	0	0
To Ditto, for the Uſe of the Province, £ 200 Sterling,	340	0	0
To the *Six Nations*, as a Preſent of Condolence on the Death of *Canaſſatego*, &c.	100	0	0
To the *Twightwees*, and other Nations, on *Ohio*,	600	0	0
To *Maurice Turner* and *Ralph Killgore*, who had been Priſoners among the *French*,	10	0	0
To the Speaker for drawing Bills, &c.	30	0	0
To the Members of Aſſembly, for their Attendance, at 5*ſ.* *per* Day, the groſs Sum,	439	9	6
To *Tench Francis*, Eſq; Attorney General,	100	0	0
To *John Smith*, for 32 Days Attendance on the Committee of Accounts, and burning Paper Money,	8	0	0
To *Edward Warner*, for 32 Days Ditto,	8	0	0
To *Joſeph Fox*, for 23 Days Ditto,	5	15	0
To *Evan Morgan*, for 13 Days Ditto,	3	5	0
To *Thomas Cummings*, for 15 Days Ditto,	3	15	0
To *Mahlon Kirkbride*, for 2 Days Ditto,	0	10	0
To *Richard Peters*, Eſq; Secretary, his Salary as Clerk of the Council	15	0	0
To Ditto, for Services, &c. as *per* Account,	25	2	0
To *Lynford Lardner*, Eſq; Keeper of the Great Seal, his Account,	12	19	6
To *Charles Brockden*, Eſq; Keeper of the Rolls, his Account,	8	8	10
To *Conrad Weiſer*, Eſq; for his Services in attending the *Indians*, and for Damages done by them on their Return Home,	38	14	11
To Ditto, for Tranſporting the Goods to *Ohio*,	230	0	0
To Ditto, for his Services as Interpreter, and Expences in Public Affairs to the 17th of the *6th Month*, 1751,	56	2	6
To *Benjamin Franklin*, as Clerk to the Houſe, and for Printing,	121	1	0
To *William Franklin*, now Clerk to the Houſe,	4	15	6
To *Samuel Kirk*, Sergeant at Arms, his Salary,	8	0	0
To *Charles Stow*, Door-keeper to the Council, for 26 Days, at 2*ſ.* 6*d.* *per Diem*,	3	5	0
To *Mary Burden's* Account, for her Son's attending the Council, and ſundry other Services,	4	0	0
To *Edward Kelly*, Door-keeper, his Attendance on the Aſſembly, 54 Days, at 4*ſ.* *per Diem*,	10	16	0
To *Andrew Montour*, in full of his Services and Diſburſements for the Province, until the 17th of the *Sixth Month*, 1751,	80	0	0
To *John Potter*, Sheriff of *Cumberland* County, for bringing Priſoners to *Philadelphia*,	34	0	0
To *Edward Kelly's* Account for Diſburſements,	3	5	0
To *Samuel Kirk*, for Diſburſements,	1	0	0
To *Catherine Cox*, for a Bull killed by the *Indians*, in 1747,	3	0	0
To Doctor *Thomas Græme*, for Phyſic for the *Indians*,	1	11	6
	£ 3,799	15	9

1751. *October* 14. *Post Meridiem*

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1751.

BY the Returns of the Sheriffs of Five Counties, it appears that the following Gentlemen were choſen to ſerve in Aſſembly as Repreſentatives of the Freemen of the Province of *Pennſylvania* for the Year enſuing, *viz.*

For *Philadelphia* County.
Iſaac Norris,
Edward Warner,
Hugh Evans,
Evan Morgan,
Joſeph Trotter,
John Smith,
Joſhua Morris,
Henry Pawling.

For *Bucks* County.
Mahlon Kirkbride,
Joſeph Hampton,
Abraham Chapman,
John Woolſton,
Griffith Owen,
Richard Walker,
Samuel Brown,
Garret Vanſant.

For *Cheſter* County.
Joſeph Gibbons,
Thomas Cummings,
George Aſhbridge,
Nathaniel Grubb,
Peter Dicks,
Nathaniel Pennock,
Henry Hockley,
Thomas Chandler.

For *Philadelphia* City.
Benjamin Franklin,
Hugh Roberts.
} Burgeſſes.

For *Lancaſter* County.
Arthur Patterſon, *James Wright,*
Calvin Cooper, *Peter Worral.*

For *York* County.
John Wright, *John Witherow.*

For *Cumberland* County.
No Return brought in; but,
Daniel Williams appeared.

And a Quorum of the Repreſentatives being met, proceeded, according to the Charter of Privileges and Laws of the Province, to the Choice of a Speaker, and ISAAC NORRIS, Eſq; was unanimouſly choſen Speaker of this Houſe for the enſuing Year, and accordingly placed in the Chair.

Ordered, That *Edward Warner, Benjamin Franklin, Mahlon Kirkbride, Joſeph Gibbons, Calvin Cooper* and *John Wright* wait upon the Governor, and acquaint him, that, purſuant to the Charter and Laws of this Province, a Quorum of the Repreſentatives have met, and proceeded to the Choice of a Speaker, and deſire to know when he will be pleaſed to receive the Houſe, that they may preſent their Speaker.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 15. The Gentlemen appointed to wait on the Governor with the Meſſage of Yeſternight, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would be ready to receive the Houſe this Morning at Eleven o'Clock, in the Council Chamber.

A Return of the Sheriff of *Cumberland* County was brought to the Houſe, in which *William Trent* and *Daniel Williams* were returned as Repreſentatives to ſerve in Aſſembly for the ſaid County.

The Secretary attending, was called in, and, addreſſing himſelf to the Chair, ſaid,

SIR,

The Governor is now ready to receive the Houſe in the Council Chamber.

Then the Speaker, with the whole Houſe, waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported,

That the Houſe had waited on the Governor, and preſented their Speaker, and that the Governor was pleaſed to approve their Choice. That the Speaker had then, in the Name and Behalf of the Houſe, claimed the uſual Privileges, *viz.*

That the Houſe, during their Sitting in Aſſembly, may enjoy Freedom of Speech in all their Propoſitions and Debates.

That the better to diſcharge the Buſineſs of the Public, they may at all ſeaſonable Times have free Acceſs to the Governor.

That their Perſons and Eſtates may be protected from all Arreſts and Inſults during the Time of Privilege accuſtomed.

That it would pleaſe the Governor to take no Notice of any Report, touching any Matter or Thing that may be moved or debated in the Houſe, until the ſame ſhall have paſſed into a Reſolve, nor give the leaſt Credit to ſuch Report. And laſtly,

That his own (the Speaker's) unwilling Miſtakes may be excuſed, and not imputed to the Houſe.

All which he had requeſted as the juſt Rights and Privileges of the People of *Pennſylvania,* derived and confirmed to them by the Charters and Laws of the Province:

And

And that the Governor was pleaſed to ſay, they were the juſt and undoubted Rights of the Houſe, and that he ſhould never offer to violate them. 1751. October 15.

Then the uſual Qualifications, by Law directed, were taken, firſt by the Speaker in the Chair, and then at the Table by all the reſt of the Members preſent in their Order.

Reſolved, That *William Franklin* be Clerk of this Houſe for the enſuing Year.

And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Sergeant at Arms to this Houſe for the enſuing Year.

Reſolved, That *Edward Kelly* be Door-keeper to this Houſe for the enſuing Year.

Then the Houſe adjourned to Three o'Clock in the Afternoon. Adjournment *Poſt Meridiem*

A Repreſentation from the Truſtees of the General Loan-Office of this Province was preſented to the Houſe and read, and follows in theſe Words, *viz.*

To the Honourable the ASSEMBLY *of the Province of* Pennſylvania, *now ſitting,*
The Truſtees of the General Loan-Office beg Leave to repreſent,

THAT they humbly conceive it would be more ſatisfactory to the Public (and it would really be ſo to the Truſtees) if at the Time of ſettling the Accounts of their Office, the Money in their Hands were counted, as well as the Mortgage Deeds examined. A Repreſentation from the Truſtees of the General Loan-Office.

That they did accordingly propoſe it to the laſt Committee of Accounts, and offered to ſubmit the Cheſt to their Examination; but the Committee omitted it, perhaps, becauſe they wanted Time, or for that it had not been heretofore cuſtomary.

But a new Committee of Accounts being now of Courſe to be appointed, and the Truſtees continuing ſtill in the ſame Sentiment, do humbly requeſt, that if it ſhall ſeem good to the Houſe, it may be made an Inſtruction to that Committee to count all the Money, and report the Sum they ſhall actually find in the Truſtees Hands: And we hope ſo good an Example of your Care for the Security of the Public Treaſure, will be conſtantly followed by future Aſſemblies.

CHARLES NORRIS,
THOMAS LEECH,
JAMES WRIGHT,
ABRAHAM CHAPMAN."

October 15, 1751.

Ordered to lie on the Table.

Ordered, That *Joſeph Trotter*, *Benjamin Franklin*, *George Aſhbridge* and *James Wright* be a Committee of Grievances for the enſuing Year; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That *Edward Warner*, *Evan Morgan*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *Thomas Cummings* and *Peter Worral* be a Committee to audit and ſettle the Accounts of the General Loan-Office, and other Public Accounts, and to ſink and deſtroy the Bills of Credit received in Exchange, purſuant to the late Paper Money Acts, and to count all the Money, and report, together with the ſaid Accounts, the Sum they ſhall actually find in the Truſtees Hands; and they have Power to ſend for Perſons, Papers and Records.

Reſolved, That the *Two Thouſand Pounds* lent by the ſecond *Thirty Thouſand Pound* Act for the Building of the State-houſe, be paid out of the Intereſt Money in the Truſtees Hands, and carried to the Quota Account.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *October* 16.

Reſolved, That *Michael Lightfoot* be Treaſurer of this Province for the enſuing Year.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

Reſolved, That this Houſe will this Day adjourn to the ſecond Day of the firſt Week of the Month called *February*.

Ordered, That *Calvin Cooper* and *Peter Worral* wait upon the Governor, and acquaint him, that the Houſe inclines to adjourn to the ſecond Day of the firſt Week of the Month called *February* next, if he hath no Objection to that Time.

Ordered, That the Superintendants of the State-houſe provide a Bell of ſuch Weight and Dimenſions as they ſhall think ſuitable. That the ſaid Superintendants do apply to the Truſtees of the General Loan-Office for an immediate Supply of ſuch Sums of Money as they may judge neceſſary to remit to *Great-Britain* for the Purpoſe aforeſaid: And that the Payment made in Purſuance of this Order, ſhall be allowed by the Committee of Accounts in their next Settlement with the ſaid Truſtees, who ſhall have a Copy of this Order delivered to them, ſigned by the Clerk of this Houſe, if required.

Ordered, That *John Smith* and *Benjamin Franklin* be a Committee to reviſe the Minutes before they are printed.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return and report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment.

The

1751. October 16. The Governor, by his Secretary, ſent down ſundry Accounts for Expences of the *Nanticoke Indians*, who came to *Philadelphia* on public Buſineſs this Summer.

Ordered, That the Sum of *Eight Pounds Fourteen Shillings* and *Four-pence* be allowed in full Diſcharge of thoſe Accounts, *viz.*

To *Thomas Walker*,	£	1	15	6
To *Thomas Lacy*,		0	14	10
To *Edward Kelly*,		0	10	0
To *Mary Burden*,		0	10	0
To *William Smith*,		0	8	8
To *William Dunwick*,		4	15	4
	£	8	14	4

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker by Order of the Houſe, for the Payment of the ſame.

Reſolved, That *Richard Patridge* be Agent for this Province at the Court of *Great-Britain*, for the enſuing Year.

Reſolved, That *Robert Charles* be allowed *Fifty Pounds Sterling*, as an Aſſiſtant to the Agent, for the enſuing Year.

Reſolved, That *Benjamin Franklin* and *Hugh Roberts* be, with the Speaker, a Committee of Correſpondence.

Reſolved, That *One Hundred Pounds Sterling* be tranſmitted to the Agent, to lie in his Hands, to be accounted for hereafter.

Adjournment. Then the Houſe adjourned to the ſecond Day of the firſt Week of the Month called *February*.

1752. *February* 3. *Poſt Meridiem*. THE Houſe met purſuant to their Adjournment.

Ordered, That *Evan Morgan* and *Benjamin Franklin* wait upon the Governor, and acquaint him, that the Houſe have met according to their Adjournment, and deſire to know if he hath any Thing to lay before them.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 4. The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, "He had nothing to lay before the Houſe at preſent, but if any Thing proper for their Conſideration ſhould occur to him, during their Sitting, he would communicate it by Meſſage."

John Woolſton, *Henry Hockley* and *John Withero*, appearing in the Houſe, took and ſubſcribed the uſual Qualification appointed by Law to be taken by the Members of Aſſembly.

A Petition from a conſiderable Number of the Inhabitants of *Reading-Town*, upon *Schuylkill*, was preſented to the Houſe and read, ſetting forth, that they had ſettled in the ſaid Town, expecting it would be a great Place of Trade and Buſineſs, and had put themſelves to vaſt Expence in building and removing thither with their Families, ſeveral of whom left tolerable good Plantations; that though the ſaid Town had not above one Houſe in it about two Years ago, yet it now conſiſts of One Hundred and Thirty Dwelling-houſes, beſides Forty-one Stables, and other Out-houſes, and that there are One Hundred and Six Families, conſiſting of Three Hundred and Seventy-eight Perſons, ſettled therein; that they have good Reaſon to believe that in another Summer they will be much encreaſed, as the chief Part of the Province that can be ſettled is already taken up, and the Settling of Towns will be of great Benefit to Tradeſmen and others, who are not able to purchaſe Tracts of Land to live on; that they humbly conceive it to be for the Intereſt of the honourable Proprietaries, as well as themſelves, and that unleſs this Houſe will be pleaſed to erect ſome Part of the Counties of *Philadelphia*, *Cheſter* and *Lancaſter* into a ſeparate County, they ſhall be entirely diſappointed of their Expectations, nothwithſtanding all the Coſt and Trouble they have been at; that therefore they pray this Houſe would take their Caſe into Conſideration, and grant them Relief, by erecting ſuch Parts of the ſaid Counties, as they ſhall think moſt proper, into a new County, with the ſame Privileges that the other Counties of this Province enjoy, and that the Seat of Judicature be fixed within the ſaid Town of *Reading*.

Ordered to lie on the Table.

A Petition from a conſiderable Number of the Inhabitants of *New-Britain*, and the Parts adjacent, in the County of *Bucks*, was preſented to the Houſe and read, ſetting forth, that though the uſual Method by Law directed for chuſing ſix Aſſeſſors in a County was very ſufficient when the ſaid Law was made, yet now the Country is thick inhabited, it appears moraly impoſſible, that the ſaid Number of Men in a County ſhould know the Circumſtances of the Settlers, ſo as to make any equal Aſſeſſment, though they act with the greateſt Uprightneſs; that the Petitioners yearly ſee ſomething of this more or leſs every where, and knowing that in their Mother Country there is an

Aſſeſſor

Assessor in every Parish, by whom the same is assessed, they therefore humbly propose to this House, that a Law may be enacted, to authorize every Township to choose an Assessor among themselves, and that the Assessment made in the Township be sent to the Commissioners, pursuant to their Warrant, certified by the Assessor, who also may appoint a responsible Collector, still reserving an Appeal, as usual, which the Petitioners think would be less expensive than the many Conventions of Assessors now usual and necessary. And the Petitioners further propose, that as every Township is authorized to choose an Inspector on a certain Day in *September*, for the ensuing Election, they also may be allowed to choose an Assessor on the same Day; and that all the Inspectors so chosen may hereafter assist at the Election, as the Petitioners conceive eight are almost as insufficient as six Assessors; and though the late Act has happily prevented the Confusion which formerly sometimes happened, yet it hath not assisted the Sheriff to the greater Equity or Dispatch in his Business, the Petitioners having seen very able Freeholders greatly questioned, and others (perhaps making a better Figure) though insufficient, accepted, the Inspectors not being sufficiently acquainted with the Circumstances of the Electors. And the Petitioners further pray, that the Pound-Law may be revived, and proper Officers, as the Overseers of the Poor, or Overseers of the Highways, be appointed to cause such Pounds to be erected, *&c.* And the Petitioners likewise beg Leave to lay before this House as a Grievance, the Method used in attaching the Effects of Departers for Debts under *Forty Shillings*, in which Case, the several Creditors apply for several Attachments, whereby the Defendant's Effects are consumed in Charges, to theDetriment and Loss of the Creditors, and of the Defendant too, if ever he returns; and they therefore pray, that a Law may be enacted, to prevent the Issuing of any more than one Attachment against any such Departer, and provide that each of the Creditors may have a proportionable Share, as by the Law for the greater Attachment is provided, and that the said Act may extend to *Five Pounds:* All which Particulars they pray this House to consider, and do therein, as to their Wisdom shall seem meet. 1752. February 4.

Ordered to lie on the Table.

A Petition from *John Ludgate*, a Prisoner in the County Goal of *Philadelphia*, complaining of Wrongs done him by his Partners, and praying that this House would grant him Relief therein, was presented to the House and read, and

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Petition from sundry Inhabitants of the County of *York* was presented to the House and read, setting forth, that while this Province was in a State of Minority, the Assembly passed a Law for regulating and establishing the proper Fees to be taken by the several Officers belonging to the Courts of this Province; but since that Time Affairs are much altered, and the Country is become much more populous, so that Officers Fees are extended beyond what (they presume) was at first designed, of which the Poor pay the greatest Part, though the most unable, and more especially so in those Back Parts, to which the Poor are drawn through Necessity; that it is found by Experience, the most inconsiderable Matter, which will bear an Action of Trial before a single Magistrate, with the Costs accruing thereon, will sometimes render the Defendant incapable of supporting his Family without enduring pinching Difficulties; but much more, if a Matter of Moment is to be managed by the Sheriff, Prothonotary and Officers of an higher Order; that the Benefit arising from the Sheriff's Office, frequently occasions them to lay open Public Houses at the Time of Election, whereby many unthinking People are drawn into Excesses, which have often been attended with bad Consequences, as has heretofore appeared before the Assembly; they therefore pray that this House would take the Premises into serious Consideration, and grant a general Abatement of Fees for the County of *York*, especially of Sheriff's Fees, and that their Elections may be regulated. *Post Meridiem*

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition of divers Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, praying a Division of said Counties, which was by the last Assembly referred to the Consideration of the present, was read the first time, together with the Petition from the Inhabitants of the Town of *Reading*, both which said Petitions were referred to farther Consideration To-morrow Morning. February 5.

A Petition from sundry Inhabitants of the Back Parts of *Philadelphia* and *Lancaster* Counties, setting forth, that although their Grievances were laid before the Assemblies of this Province several Years past, and their Petition again renewed at the last Sitting of Assembly, yet as they find the Causes of their Complaint still continue growing, they humbly beg Leave further to represent, that they are settled at a very great Distance from the Place of Judicature, many of them not less than One Hundred Miles, which is a real Hardship upon those who are so unhappy as to be sued for Debts, their Charges in long Journeys, and sometimes in severe Weather, with the Officers Fees, amounting to near as much, if not more, than the Debts; that the Hardships on Jury-

1752. *February* 5. men, Conſtables, &c. in being obliged to attend when required, is alſo very great; that now there is a new Town laid out by the Proprietaries Order, within fifteen Perches of the Diviſion Line between *Philadelphia* and *Lancaſter* Counties, and above One Hundred and Thirty Houſes built, and near as many Families living therein, it is very eaſy for Rogues and others to eſcape Juſtice by croſſing *Schuylkill*, which has already been their Practice for ſome Years; that though their Grievances when laid before the Aſſembly ſome Years paſt were not redreſſed, becauſe of other weighty Affairs being at that Time under Conſideration; yet the Prayer of their Petition was thought reaſonable, and the Number of Petitioners being ſince doubled by the Increaſe of the Back Inhabitants; they therefore pray, that this Houſe would grant Relief in the Premiſes, by erecting them into a ſeparate County, bounded as to the Wiſdom of the Houſe ſhall ſeem beſt; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Petition from the Inhabitants of the Upper Part of the County of *Bucks*, praying a Diviſion of ſaid County, which was by the laſt Aſſembly referred to the Conſideration of the preſent, was read the ſecond time, and *Ordered to lie on the Table.*

The Petition of the Grand Jury of *Cumberland* County, relating to Officers Fees, referred to this Aſſembly by the laſt, was read the firſt time, and *Ordered to lie on the Table.*

The Petition from the Commiſſioners and Aſſeſſors of *Cumberland* County, relating to the Location of their County Town, referred to this Aſſembly by the laſt, was read the firſt time, and *Ordered to lie on the Table.*

A Repreſentation, ſigned by ſundry Inhabitants of the County of *Cumberland*, ſetting forth, that a Petition having been preſented to the Aſſembly from the Inhabitants of the *Weſtern* End of their County, aſſerting, that no good Waggon Road can poſſibly be had over the *North-Mountain* from *Shippenſburgh* downwards; they the Subſcribers had, in Company with *Daniel Williams*, one of their Repreſentatives, viewed and conſidered the Gap, commonly called *Stevens's Gap*, and find that by traverſing the ſaid Gap once or twice, all ordinary Waggon-loads may, with a ſmall Expence, have an eaſy Paſſage over it, the whole Aſcent being but ſixty or at moſt ſeventy Perches; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Bill for preventing Frauds, and alſo for the Examination of Witneſſes in *Perpetuam Rei Memoriam*, &c. referred to the Conſideration of this Aſſembly by the laſt, was read the firſt time, and *Ordered to lie on the Table.*

The Petition of *John Ludgate* was read the ſecond time, and conſidered; and it appearing to the Houſe to contain many groundleſs Aſſertions and Accuſations, it was ordered to be diſmiſſed.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 6. Thoſe Accounts of *George Croghan*, which were referred over to this Aſſembiy, were read, and ordered to be referred to the Committee of Accounts.

A Petition from divers Inhabitants of this Province was preſented to the Houſe and read, ſetting forth, that the public Vendues for Goods and Merchandize in and near the City of *Philadelphia*, as now managed, are very prejudicial to the general Intereſt of the Province, and ſeldom of any real Advantage to Particulars; that though the Vendue-Maſter, legally appointed and commiſſioned by the Governor, gives Security for the due Execution of his Office, and the Obſervation of the City Ordinances, yet ſome Perſons who have lately taken upon them to hold Vendues in the City Liberties, and divers other Parts of the Province, are under no Rules or Reſtrictions whatſoever, acting ſolely by their own Authority, and have only to conſult their own private Advantage; that inſtead of diſpoſing of the Goods in large Lots, as (the Petitioners are informed) is cuſtomary in all other Places where frequent Vendues are tolerated, they retail them out in ſmall Parcels to advance the Profits, whereby certain Perſons, chiefly Strangers, who contribute nothing towards the Support of Government, have been encouraged to furniſh them with conſtant Supplies, imported for that very Purpoſe; that from an ill grounded Opinion of the Cheapneſs of Goods at thoſe Sales, ignorant People are frequently induced to lay out their Money at a great Diſadvantage, giving high Prices for ordinary or damaged Goods, and Things they have no real Occaſion for, to the Detriment of themſelves and Families; that at preſent the Vendues being no other than Retail-ſhops, and held in public Places, are very injurious to all regular Dealers, whether Merchants or Shopkeepers, and if not brought under proper Reſtrictions, may make it neceſſary for all ſuch to diſpoſe of their Goods in the ſame Way, and pay Commiſſions to the Vendue-Maſters for tranſacting their Buſineſs, whilſt they themſelves want Employment, which would really be a very great Hardſhip; that there is Reaſon to believe thoſe expeditious Sales for ready Money have been one great Occaſion of the late extravagant Importation of *Engliſh* Goods, which they humbly conceive ought, as far as may be, without giving Umbrage to our Mother Country, to be diſcouraged, as tending to bring the Province in Debt, and hurting the Credit of our Paper Currency, by raiſing the Exchange, which may put the Legiſlature at Home upon depriving us of ſo uſeful a Medium

a Medium in Trade; they therefore pray this House would be pleased to take the same into Consideration, and grant them Leave to bring in a Bill for restraining the public Vendues to certain stated Times and Places, and preventing the Disposal of Goods by small Lots; with Exception to Goods taken in Execution for Debt, or distrained for Rent, and the Goods and Effects of Bankrupts and Persons deceased. 1752. February 6.

Ordered to lie on the Table.

A Petition from sundry Inhabitants of *Chester* County was presented to the House, and read, setting forth, that they humbly offer the following Particulars for the Consideration of this House, *viz.* 1. That by a Law of this Province, entituled, *An Act for raising County Rates and Levies*, it is enacted, 'That the Assessors for the respective 'Counties, or any four of them, shall meet at the Day and Place where the Commissioners Precepts are made returnable, and then and there receive the Constables Returns, and shall thereupon, by the Oaths or Affirmations of the said Constables, or other credible Persons, or by any other lawful Ways or Means, inform themselves 'what Persons and Estates in their respective Counties are rateable by Virtue of the said 'Act, and shall forthwith equally and impartially assess themselves and all others, rateable as aforesaid." And as by the said recited Act, it doth not appear that the Assessors are enjoined to examine the Constables upon Oath or Affirmation, to the Veracity of their Returns, therefore that necessary Part of the said Act, for qualifying the Constables, has not been put in Practice in *Chester* County, whereby many People have concealed the major Part of their Estates, which has frequently occasioned great Inequality in the Assessments; they therefore pray the House would be pleased to cause that Part of the said Act to be put in Practice, by adding such a Clause as shall appear most proper, or otherwise enact, that the Constable of each Township shall annually cause the Inhabitants to choose one Person, or more, to be their Assessor, who shall be qualified by the next Justice of Peace, and shall assess himself, and the Inhabitants of the Township, returning the Assessment to the Commissioners as usual. 2. That by a Law of this Province, entituled, *A Supplementary Act for raising of County Rates and Levies*, it is enacted, 'That the Commissioners and Assessors, with the County Treasurer, shall yearly exhibit to, and lay before, the Justices and Grand Jury of the County, 'all the Books of Entries, and Accounts of the Monies by them, or any of them assessed 'and raised, by Virtue of their several Offices, as also an Account to whom, and for 'what Use, the same Money was paid out again; which Books and Accounts, being 'seen and examined by the Justices and Grand Jury aforesaid, shall be delivered back 'without Alteration." By which Law it is apparent, that the Justices and Grand Jury are but Witnesses to the Acts and Accounts of the Commissioners and Assessors, they not having Authority to regulate and correct any Errors therein, whereby many Inadvertencies and Errors have escaped a due Correction, much to the Disadvantage and Damage of the Public; they therefore desire this House would be pleased to invest the Justices and Grand Jury, or the major Part of them, with full Power to regulate and adjust those Accounts. 3. That as the taking of large Fees is of late much practised, they therefore pray that this House would be pleased, by an Act of Assembly, to regulate and establish the Fees to be taken by the several Justices, Officers and Practitioners of Law in this Province. 4. That a Law of this Province, entituled, *An Act for erecting of Pounds, in each Township of this Province*, may be re-enacted, with the necessary Amendments. 5. That it is found by Experience, that the determining of Debts under *Forty Shillings*, and not exceeding *Five Pounds*, by a Magistrate, at Public Houses of Entertainment, is very injurious to the poorer Sort of People, against whom Prosecutions for such Sums are generally brought, and who can scarcely pay the legal Fees arising by the Prosecution, and are often unable to bear the Expences which the Meeting at such Houses lead them into; that some Persons, when heated with intoxicating Liquors, have, by the Instigation of busy Constables, taken out Process against their Neighbours, which at other Times they would not have done; they therefore pray that it may be enacted, that no Justice of the Peace shall (unless there appears a real Necessity) hear and determine any Action for Debt, under *Forty Shillings*, and not exceeding *Five Pounds*, at any Public House of Entertainment whatsoever. 6. That many idle and loose Persons do frequently break down the Fences of divers of the Inhabitants, and ride and travel on Foot across their Inclosures, without Regard to the Season of the Year, much to the Prejudice of the Farmers and others; they therefore desire it may be enacted, that such Persons so offending, may be punished by one Magistrate, as Hedge-breakers usually are in *England*. 7. That many idle and loose Persons are found drinking and tippling in Taverns and Ale-houses on the first Day of the Week, called *Sunday*; they therefore pray that it may be enacted, that all Persons guilty of such Offences, may be punished, as is usual in the like Cases in *England*. 8. That the Petitioners humbly conceive, that the Laws now in Force, do not effectually debar petty Rum-sellers from the pernicious Practice of selling and delivering Spirits by the Quart, or larger Quantity, to one white Servant or *Negro*, at one Time, on the first Day of the Week;

1752. *February 6.* Week; they therefore pray it may be enacted, that any Retailer of Rum, or other Spirits, diſtilled in this Province, who ſhall give or ſell a Quart, or larger Quantity of ſuch diſtilled Liquors, on the firſt Day of the Week, to any white Servant or *Negro* without Leave from his or her Maſter or Miſtreſs, ſhall forfeit and pay for every ſuch Offence ſuch Sum of Money as to the Wiſdom of this Houſe ſhall ſeem moſt proper.

Ordered to lie on the Table.

A Petition from the Overſeers of the Poor of *Germantown* Townſhip was preſented to the Houſe and read, ſetting forth, that on the Twenty-firſt Day of *Auguſt* laſt five *Nanticoke Indians*, travelling with another, ſaid to be from *Albany*, on ſome Enmity or Difference, did, in the open Street in *Germantown*, ſhoot, wound and beat the ſaid *Albany Indian* in ſo cruel a Manner, before any Aſſiſtance could come, that he was taken for dead; but ſome Life afterwards appearing in him, upon Application being made to the Chief Juſtice, who happened to be at his Country Seat in their Townſhip, he ordered the ſaid *Indian* to be taken Care of by the Petitioners; that even beyond Expectation, the ſaid *Indian* was cured in about ten Weeks and four Days; that the ſaid Cure, with Attendance and other Neceſſaries, amounts to a conſiderable Sum, an Account whereof they have hereunto annexed, and which they humbly preſume ought to fall on the Public; and therefore pray this Houſe would grant them Relief in the Premiſes.

Ordered to lie on the Table.

The Petition of divers Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Cheſter* and *Lancaſter* Counties, praying a Diviſion of the ſaid Counties, was read the ſecond time, and referred to farther Conſideration.

The Petition from the Inhabitants of the Upper Part of the County of *Bucks*, praying a Diviſion of that County, was read the ſecond time, and referred to further Conſideration.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Petition of divers Inhabitants of *New-Britain*, relating to an Alteration of the Laws concerning Aſſeſſors, *&c.* was read the ſecond time, and referred to farther Conſideration.

The Petition of ſundry Inhabitants of *York* County, praying an Abatement of Officers Fees, was read a ſecond time, and referred to farther Conſideration.

The Petition of the Grand Jury of the County of *Cumberland*, relating to Officers Fees, was read a ſecond time, and referred to farther Conſideration.

The Petition from the Commiſſioners and Aſſeſſors of *Cumberland* County, concerning a Location of their County Town, was read the ſecond time, together with the Repreſentation from ſundry Inhabitants of ſaid County relating thereto; and they were both referred to further Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 7. A Petition from the Loaf-bread Bakers of the City of *Philadelphia* was preſented to the Houſe and read, ſetting forth, that they apprehend themſelves aggrieved by the Act now in Force for regulating the Aſſize of Bread, and that the ſaid Act is attended with great Inconvenience to ſundry of the Inhabitants of the City; that for ſome Years paſt the great Increaſe of the Inhabitants of this Province has occaſioned the Price of what is commonly called Middlings and Coarſe to ariſe ſo nigh the Price of Flour, that the Petitioners cannot poſſibly bake the ſame by the Aſſize in the ſaid Act without manifeſt Loſs to themſelves, that, for Inſtance, at this preſent Time the Price of Flour in this City is *Thirteen Shillings* per Hundred, Middlings *Eleven Shillings* and *Six-pence*, and Coarſe *Nine Shillings*; that great Numbers of the poor Inhabitants of this City, who cannot afford to buy a *Five-penny* Loaf at a Time have laid the Petitioners under a Neceſſity of baking ſmaller Bread to accommodate them with; they therefore pray that the Loaf-bread Bakers of this City may, for the better Convenience of the Inhabitants thereof, be permitted to bake Loaves (agreeable to a proper Aſſize) at the following Prices, *viz. One-penny*, *Three-penny*, *Six-penny*, *Nine-penny* and *Twelve-penny*; and that the Clerk of the Market of this City may be obliged to act under the immediate Inſpection of one or more of the Magiſtrates of this City for the due Regulation of Bread, as this Houſe in their Wiſdom ſhall judge meet. *Ordered to lie on the Table.*

The Petition and Account from the Overſeers of the Poor of *Germantown* Townſhip, were read the ſecond time;

Ordered, That *Benjamin Franklin* and *Hugh Roberts* inſpect the ſaid Accounts, and report thereon to the Houſe.

The Petition from divers Inhabitants of this Province, relating to Vendues, was read the ſecond time;

Ordered, That the Petitioners have Leave to bring in a Bill according to the Prayer of their Petition.

The Petition from divers Inhabitants of *Cheſter* County, praying an Alteration of ſundry Laws of this Province; and the Petition from the Inhabitants of *New-Britain*, likewiſe

likewiſe praying an Alteration of ſundry Laws, were read, and conſidered, and referred to further Conſideration in the Afternoon. 1752. February 7.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe reſumed the Conſideration of thoſe Paragraphs of the Petitions from *Cheſter* County and *New-Britain*, which pray an Addition to the Number of Aſſeſſors in each County; and, after ſome Time ſpent therein, the Queſtion being put, whether there ſhould be an Aſſeſſor choſen for each Townſhip? *Paſſed in the Negative.* Poſt Meridiem

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition from the Loaf-bread Bakers of the City of *Philadelphia*, was read the ſecond time; February 8.

Ordered, That *Edward Warner*, *Evan Morgan*, *Joſeph Trotter*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Griffith Owen*, *Henry Hockley* and *James Wright* be a Committee to conſider the ſaid Petition, and the Law of this Province relating to the Aſſize of Bread, and (if they think proper) to prepare and bring in a Bill for the Alteration or Amendment of the ſame.

Arthur Patterſon, returned a Repreſentative for *Lancaſter* County, appeared in the Houſe, and at the Table took and ſubſcribed the uſual Qualification by Law required to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

Then the Houſe adjourned to the next *Second-day*, at Three o'Clock, *P. M.* Adjournment

The Houſe met purſuant to Adjournment. February 10.

The Petition from ſundry Inhabitants of *New-Britain* was again read, and conſidered, together with that Paragraph of the *Cheſter* County Petition relating to Pounds; and, after ſome Time ſpent thereon, Poſt Meridiem

Ordered, That *Joſhua Morris*, *Hugh Roberts*, *Griffith Owen*, *Peter Dicks*, *James Wright*, *John Withero* and *Daniel Williams* be a Committee to conſider that Part of the ſaid Petitions, and alſo to inſpect the Law relating to Pounds, and report their Opinion what Amendments may be neceſſary to be made therein.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from the Agents of the Petitioners of the Upper Parts of the County of *Bucks*, praying that the Houſe would reſume the Conſideration of the Petition of the Inhabitants of the Upper Parts of the ſaid County, for a Diviſion thereof, was preſented to the Houſe and read, and *Ordered to lie on the Table.* February 11.

The Petition from the Commiſſioners and Aſſeſſors of the County of *Cumberland*, together with a Copy of a Return, ſaid to be made by the Truſtees of ſaid County to the Governor, were again read, and conſidered;

Ordered, That the Clerk do make out a Copy of ſaid Petition, and Return, and that *John Wright* and *Daniel Williams* do wait upon the Governor, and preſent the ſame for his Conſideration.

The Paragraph of the Petition from *New-Britain*, which relates to Attachments for Debts under *Forty Shillings*; alſo Part of the Petition from *Cheſter* County, concerning the ſame, were read, and conſidered, with the preſent Laws relating to Attachments; and, after ſome Time ſpent therein,

Ordered, That *Edward Warner*, *Benjamin Franklin*, *Griffith Owen*, *Thomas Cummings*, *Arthur Patterſon*, *John Wright* and *Daniel Williams* be a Committee to conſider the ſame, and report their Opinion what Amendments may be proper to be made in the ſaid Laws.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The ſecond Paragraph of the Petition from *Cheſter* County, praying that the Juſtices and Grand Jury may be allowed to regulate and adjuſt the Accounts of the Commiſſioners and Aſſeſſors, was again read, and conſidered, and the Queſtion being put, Whether there ſhould be any ſuch Alteration in the preſent Law reſpecting the ſame? *Paſt in the Negative.* Poſt Meridiem

That Article of the aforeſaid Petition which relates to drinking and tippling in Taverns and Ale-houſes on the firſt Day of the Week, and likewiſe the Article which relates to ſelling Strong Liquor to white and *Negro* Servants on the ſaid Day, were read;

Ordered, That *Evan Morgan*, *Mahlon Kirkbride*, *George Aſhbridge*, *Peter Worral* and *John Withero* be a Committee to conſider thereof, and report their Sentiments thereon to the Houſe.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from a conſiderable Number of the Inhabitants of the City and County of *Philadelphia* was preſented to the Houſe and read, ſetting forth, that for more than Twenty Years paſt there hath been no conſiderable Addition to our Paper Currency, though the Number of Inhabitants and Trade of this Province hath in that Time greatly increaſed; that the Gold which was heretofore current among us, is nearly expended in making Returns to *Great-Britain*, and the remaining Silver is yearly carried Home in great Quantities, for the ſame Purpoſe, ſo that great Difficulties are daily experienced February 12.

1752. *February* 12. in carrying on the common Traffick and mutual Commerce of the Inhabitants, for Want of a ſufficient Medium in Trade; that the Term in which the preſent Paper-Money may by Law be re-emitted, draws towards a Concluſion, when it muſt of Courſe be ſunk and deſtroyed, and inevitable Ruin thereby brought on our Trade, unleſs ſuitable Meaſures are taken to prevent it; they therefore pray that this Houſe would take the Premiſes into Conſideration, and prepare a Bill for extending the ſaid Term of Re-emiſſion of our preſent Paper Currency, and for ſtriking ſuch further Sum in Addition thereto, as the great Increaſe of our People and Commerce ſeem to require.

Ordered to lie on the Table.

A Petition from ſundry Inhabitants of the City of *Philadelphia* was preſented to the Houſe and read, ſetting forth, that the Practice of Gaming in Public Houſes is now become very general, eſpecially amongſt the Apprentices, and other young People of the ſaid City; that many ſad Inſtances are almoſt daily ſeen of its pernicious Effects, as well in the Corruption of the Morals, as the Impoveriſhment and often total Ruin of thoſe Frequenters of Public Gaming Houſes; and there not being any ſufficient Laws now in Force in this Province againſt Gaming; they therefore pray this Houſe would take the Premiſes into Conſideration, and make ſuch a Law for the more effectual ſuppreſſing of all Gaming at Cards and Dice in Public Houſes, and alſo Billiard-tables (now grown very numerous) as to them ſhall ſeem meet and expedient.

Ordered to lie on the Table.

The Petition from the Inhabitants of the Town of *Reading*, together with the Petition from a conſiderable Number of the Inhabitants of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Cheſter* and *Lancaſter* Counties, praying a Diviſion of ſaid Counties, were again read, and referred to further Conſideration.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor with a Copy of the Petition from the Commiſſioners and Aſſeſſors of the County of *Cumberland*, and a Copy of the Paper, ſaid to be a Copy of the Return of the Truſtees of ſaid County to the Governor, report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would conſider them.

A Petition from divers Inhabitants of the City and County of *Philadelphia* was preſented to the Houſe and read, ſetting forth, that the great Number of Dogs kept in and about the ſaid City, are become a great and dangerous Nuiſance; that many of them being under no Command, have, by running out at Travellers and Horſes, been the Occaſion of the Death of one Woman, and breaking the Bones of ſeveral other Perſons; that the Number of uſeleſs and miſchievous Dogs increaſes continually; that the Damage by them done to Cattle is very great and notorious, ſeveral Hundred Sheep having been deſtroyed within theſe laſt four Years; that the Damage done by mad Dogs is alſo conſiderable; that the Miſchiefs aforeſaid have been chiefly committed by Dogs belonging to the ſaid City and Suburbs, Servants and *Negroes* taking the Liberty to walk out of Town, more eſpecially on the firſt Day of the Week, attended by Dogs under no Command or Care; that many of the Petitioners have themſelves, for ſeveral Years paſt, ſuffered heavy Loſſes in Manner aforeſaid; and therefore pray that the Premiſes may be taken into ſerious and timely Conſideration, and ſuch Relief granted therein as to this Houſe ſhall ſeem moſt expedient. *Ordered to lie on the Table.*

The Houſe reſumed the Conſideration of the Petitions from *Reading-Town*, and from the Inhabitants of the Back Parts of *Philadelphia*, and the adjacent Parts of *Cheſter* and *Lancaſter* Counties, praying a Diviſion, *&c.* and, after ſome Time ſpent therein, the ſame was referred to further Conſideration.

Ordered, That the Superintendants of the State-houſe do provide a ſuitable Ink-ſtand of Silver for the Uſe of the Speaker's Table.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 13. The Speaker laid before the Houſe ſome Accounts from *Richard Patridge*, Eſq; Agent of this Province, which were read, and with thoſe laid before the Houſe at laſt Sitting, were referred to the Committee of Accounts.

The Houſe reſumed the Conſideration of the Petitions from *Reading-Town*, and from the Inhabitants of the Back Parts of *Philadelphia*, and the adjacent Parts of *Cheſter* and *Lancaſter* Counties, praying a Diviſion, *&c.* and, after ſome Time ſpent thereon,

Reſolved, That the Petitioners have Leave to bring in a Bill, purſuant to the Prayer of their Petition.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem According to Leave given, a Bill was brought into the Houſe for the better regulating of Vendues, and the ſame was read the firſt time, and

Ordered to lie on the Table.

The Petition from divers Inhabitants of *Philadelphia* County and City, relating to Paper Currency, was read the ſecond time, and referred to further Conſideration.

The

The Petition from ſundry Inhabitants of the City of *Philadelphia*, relating to Gaming, was read the ſecond time, and referred to further Conſideration. 1752. *February* 13.

The Petition from divers Inhabitants of the City and County of *Philadelphia*, relating to the Miſchiefs done by Dogs, was read the ſecond time, and referred to further Conſideration.

The Houſe being informed that ſome of the Petitioners of the Back Parts of *Philadelphia* County, and the adjacent Parts of *Cheſter* and *Lancaſter* Counties, were attending, and deſired Leave to be heard, reſpecting the Bounds which they underſtood the Houſe propoſed for a new County, in caſe it ſhould be granted;

Ordered, That the ſaid Petitioners have Leave to be heard before this Houſe;

And being called in, they gave their Objections to thoſe Bounds; and having anſwered ſuch Queſtions as were put to them by the Houſe relating to the ſame, they were ordered to withdraw.

The Petition from the Agents of the Petitioners of the Upper Parts of the County of *Bucks*, was read the ſecond time, and conſidered;

Reſolved, That the ſaid Petitioners have Leave to bring in a Bill for dividing the ſaid County.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

February 14.

A Petition from divers Inhabitants of the City of *Philadelphia* was preſented to the Houſe and read, ſetting forth, that at the firſt Settlement of this Province, the worthy Founder wiſely intended to give every Part of the Inhabitants a Share in the legiſlative Government thereof, agreeable to natural Equity; that in the Infancy of the ſaid City, when the Number and Wealth of its Inhabitants were ſmall, compared with the Counties, and its foreign Trade very inconſiderable, two Repreſentatives might then be deemed near a Proportion; but ſince by the great Increaſe of the Inhabitants, and Settlement of Merchants and Artificers, the Trade of the Province has chiefly centered in the ſaid City, and the Advantage of its Commerce and Navigation being more extenſive and important, they humbly conceive a conſiderable Addition to the Number of its Repreſentatives both equitable and neceſſary; that it is evident ſince the late Diviſion of Counties, and in Conſequence an additional Number of County Members, how unequally the ſaid City, being the Metropolis of the Province, is repreſented by two Members only, and how much its equitable Share in Government is diminiſhed; and therefore praying this Houſe would grant them Relief in the Premiſes, by making ſuch an Addition to the Number of Repreſentatives for the ſaid City, as they in their Wiſdom ſhall judge reaſonable. *Ordered to lie on the Table.*

A Petition from divers Merchants, and others, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that Staves, Heading, Boards, Plank and Shingles, moſtly brought to this Market from the neighbouring Governments, are become a conſiderable Branch of our Trade to foreign Markets; that no ſufficient Law is now in Force to regulate the Dimenſions and Qualities thereof; that for Want of ſuch a Law, and of proper Officers appointed to inſpect, count and meaſure thoſe Commodities, the Credit thereof is much declined Abroad, and Abuſes and Diſputes often ariſe here, to the great Prejudice of the Dealers therein; they therefore pray Leave to bring in a Bill to prevent further Inconveniencies in the Premiſes, or that this Houſe would grant them Relief in ſuch other Manner as may appear moſt conducive to the Credit and Intereſt of the Trade of this Province. *Ordered to lie on the Table.*

A Petition from *William Clark*, of the City of *Philadelphia*, Cooper, praying, that if this Houſe ſhould ſee Occaſion to make a Law for the better regulating of Staves, Heading, *&c.* that he may be appointed the Officer to inſpect the Culling thoſe Commodities, was preſented to the Houſe and read; and,

A Recommendation of the ſaid *William Clark*, ſigned by ſundry Merchants of *Philadelphia*, was alſo read. *Ordered to lie on the Table.*

The Petition from ſundry Inhabitants of the City and County of *Philadelphia*, relating to Paper Currency, was read the third time; and, after ſome Time ſpent in Conſideration thereof,

Ordered, That *Edward Warner*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *John Woolſton*, *Joſeph Gibbons*, *Arthur Patterſon*, *John Withero* and *Daniel Williams* be a Committee to prepare and bring in a Bill for re-emitting and continuing the Currency of the Bills of Credit of this Province, and for ſtriking a further Sum to be made current, and emitted on Loan.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

A Petition from *Hugh Forbes*, Cooper, of the City of *Philadelphia*, praying, that if this Houſe ſhould make a Law for the better regulating of Staves and Heading, he might be appointed the Officer for putting that Law in Execution, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from *Stephen Stapler*, of the City of *Philadelphia*, Cooper, praying to be appointed the Officer to inſpect the Culling of Staves and Heading, in caſe a Law for

that

1752. that Purpoſe ſhould paſs this Houſe, was preſented to the Houſe and read, and
Ordered to lie on the Table.

February 14. A Petition from *John Nicholas*, of the City of *Philadelphia*, Houſe-carpenter, ſetting forth, that he is informed ſundry Merchants, and others, have preferred a Petition to this Houſe for obtaining an Act for meaſuring and viewing of Timber and Boards, that none but what is merchantable may be exported to foreign Markets, and to appoint an Inſpector or Officer to meaſure or ſuperintend the Meaſuring ſuch Commodities; and therefore praying, if this Houſe ſhould paſs a Law for that Purpoſe, he may be appointed the Officer for putting the ſame in Execution, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from *Phineas Roberts* of the City of *Philadelphia*, Cooper, praying, that if the Houſe ſhould ſee Cauſe to make a Law for the Regulation of Staves and Heading, he may be appointed the Officer to ſuperintend the Cullers thereof, was preſented to the Houſe and read. *Ordered to lie on the Table.*

A Petition from *Iſaac Garriques*, of the City of *Philadelphia*, Cooper, was preſented to the Houſe and read, praying to be appointed the Officer to overſee the Culling of Staves and Heading, in caſe this Houſe ſhould paſs a Law for that Purpoſe; and

A Recommendation of the ſaid *Iſaac Garriques*, from ſundry Merchants of the City of *Philadelphia*, was alſo read, and both were *Ordered to lie on the Table.*

The Committee appointed to inſpect the Laws of this Province which relate to tippling and drinking in Taverns and Ale-houſes on the firſt Day of the Week, and alſo the Laws relating to ſelling of Liquors to white and *Negro* Servants on the ſaid Day, made their Report in Writing, which was read, and follows in theſe Words, *viz.*

Report from the Committee to inſpect the Laws, &c.

WE the Committee appointed to inſpect the Laws of this Province, reſpecting tippling and drinking in Taverns and Ale-houſes on the firſt Day of the Week, do find, that there is a Law now in Force, entituled, *An Act to reſtrain People from labouring on the firſt Day of the Week*, wherein there is a Clauſe laying a Fine on all People found tippling and drinking on that Day of the Week, and on the Inn-keepers that ſo entertain them.

And alſo a Paragraph in a Law, entituled, *A ſupplementary Act to a Law of this Province*, entituled, *An Act that no Public-houſe or Inn within this Province, be kept without Licence*, laying a Fine on all Retailers that ſhall, under any Pretence whatſoever, ſell, barter with, or deliver any Rum, Brandy, or other ſpirituous Liquors, to be drank by Companies of *Negroes*, Servants, or others; which Laws, if duly put in Execution, would, in a good Degree, remedy the Aggrievances complained of.

EVAN MORGAN, PETER WORRAL,
MAHLON KIRKBRIDE, JOHN WITHERO."
GEORGE ASHBRIDGE,

The Committee appointed to conſider the Petitions concerning Attachments, and the Laws of this Province relating thereto, made their Report in Writing, which was read, and referred to further Conſideration To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 15. A Petition from *Thomas Carpenter*, of the City of *Philadelphia*, Cooper, was preſented to the Houſe and read, ſetting forth, that he is informed a fit and capable Perſon to ſuperviſe the Cullers of Staves and Heading is about to be nominated by this Houſe, therefore prays he may be appointed to that Office. *Ordered to lie on the Table.*

A Petition from *Jacob Lewis*, of the City of *Philadelphia*, Carpenter, praying, that if the Houſe ſhould paſs a Law for inſpecting and meaſuring the Timber ſhipped from the ſaid City, he may be appointed the Officer for that Purpoſe; was preſented to the Houſe and read. *Ordered to lie on the Table.*

A Petition from *Joſeph Huddell*, of the City of *Philadelphia*, Cooper, was preſented to the Houſe and read, praying, that if the Houſe ſhould paſs a Law for the regulating of Staves and Heading, he may be appointed the Officer for putting the ſaid Act in Execution. *Ordered to lie on the Table.*

The Houſe reſumed the Conſideration of the Report of the Committee relating to Attachments;

Ordered, That the ſame Committee do prepare and bring in a Bill for the Purpoſes mentioned in ſaid Report.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

February 17. *Poſt Meridiem.* The Houſe met purſuant to their Adjournment.

A Petition from *James Peller*, of the City of *Philadelphia*, Shipwright, praying to be appointed the Officer for meaſuring Timber and Plank, in caſe a Law ſhould paſs this Houſe for that Purpoſe; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

A Petition from *Benjamin Betterton*, of the City of *Philadelphia*, Cooper, ſetting forth, that he is informed Application has been made to this Houſe, to nominate a fit and ſkilful

skilful Person to be an Inspector or Superintendant over the Cullers of Staves and Heading, and praying that this House would please to appoint him the Officer for said Purpose; was presented to the House and read, and *Ordered to lie on the Table.* 1752. *February* 17.

A Petition from divers Inhabitants of *Chester* County, praying a Re-emission and further Addition to the present Quantity of Paper Currency of this Province; was presented to the House and read, and *Ordered to lie on the Table.*

The Petition from sundry Inhabitants of the City of *Philadelphia*, against Gaming Houses, was read the third time;

Ordered, That *Evan Morgan*, *Hugh Roberts*, *Mahlon Kirkbride*, *Peter Dicks*, *James Wright*, *John Wright* and *Daniel Williams* be a Committee to prepare and bring in a Bill for suppressing of Gaming and Gaming-houses.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Bill for erecting the Back Parts of *Philadelphia* County, and the adjacent Parts of *Chester* and *Lancaster* Counties, into a separate County, was read the first time, and *Ordered to lie on the Table.* *February* 18.

A Bill for erecting the *North-West* Part of *Bucks* into a separate County, was read the first time, and *Ordered to lie on the Table.*

The Committee appointed to inspect the Laws relating to Pounds, made their Report in Writing, which was read, and *Ordered to lie on the Table.*

The Petition from sundry Inhabitants of *Chester* County, relating to Paper Currency, was read the second time, and referred to the Committee already appointed to bring in a Bill for the Purposes mentioned in said Petition.

The Petitions from *Chester*, *York* and *Cumberland* Counties, relating to Officers Fees, were again read, and considered, and, after some Time spent thereon,

Ordered, That *Joshua Morris*, *Henry Pawling*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joseph Hamton*, *Thomas Cummings*, *James Wright*, *John Wright* and *Daniel Williams* be a Committee to enquire into the State of the Laws of this Province relating to Fees, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Petition relating to Inspectors, and, after some Time spent thereon, it was referred to further Consideration. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Bill for striking the Sum of to be made current, and emitted on Loan, within this Province, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was read the first time, and ordered a second Reading. *February* 19.

The Petition from divers Merchants and others, of the City of *Philadelphia*, relating to Staves, Plank, *&c.* was read the second time;

Ordered, That the Petitioners have Leave to bring in a Bill, pursuant to the Prayer of their Petition.

The Petition from divers Inhabitants of the City of *Philadelphia*, praying an Addition to the Number of Representatives for said City, was read the second time, and referred to further Consideration.

The House resumed the Consideration of the Petitions relating to the Choice of Inspectors, and, after some Time spent thereon,

Ordered, That *Joshua Morris*, *Hugh Roberts*, *John Woolston*, *George Ashbridge*, *James Wright*, *John Wright* and *Daniel Williams* be a Committee to bring in a Bill for remedying the Inconveniencies set forth in the said Petition.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Ordered, That the Superintendants of the State-house do build a suitable Room, adjoining to the *South-East* Corner of said Building, for the Accommodation of the Committees of this House. *Post Meridiem*

Ordered, That Candles be brought in.

The Bill for erecting Part of the Counties of *Philadelphia*, *Chester* and *Lancaster* into a separate County, was read the second time, and considered, Paragraph by Paragraph, and, after some Debate, ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for erecting the *North-West* Part of *Bucks* into a separate County, was read the second time, Paragraph by Paragraph, and ordered to be transcribed for a third Reading. *February* 20.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Bill for erecting Part of the Counties of *Philadelphia*, *Chester* and *Lancaster*, into a separate County, being transcribed, was read the third time, and, upon the Question, *Post Meridiem.*

Resolved, That the Bill do pass.

Ordered, That *Henry Pawling* and *George Ashbridge* do carry up the same to the Governor, and desire his Concurrence thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Bill for erecting Part of *February* 21.

1752. *February* 21. the Counties of *Philadelphia*, *Cheſter* and *Lancaſter* into a ſeparate County, reported, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would give it all the Diſpatch he could.

A Bill for regulating the Aſſize of Bread, was read the firſt time, and ordered a ſecond Reading.

The Committee appointed to conſider the Laws relating to Fees, made their Report in Writing, which was read;

Ordered, That the ſame Committee do prepare and bring in a Bill, agreeable to their Report.

The Bill for erecting the *North-Weſt* Part of *Bucks* into a ſeparate County, being tranſcribed, was read the third time;

Reſolved, That the Bill do paſs.

Ordered, That *Richard Walker* and *Joſeph Hamton* do carry up the ſame to the Governor for his Concurrence.

The Bill for ſtriking the Sum of to be made current and emitted on Loan within this Province, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was read the ſecond time, and conſidered, Paragraph by Paragraph, and the further Conſideration thereof referred to the Afternoon.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

By the Leave of the Houſe a Bill was brought in for preventing Diſputes about the Dates of Conveyances and other Inſtruments and Writings, which was read the firſt time, and ordered to lie on the Table for the Peruſal of the Members.

A Petition from *Giles Lawrence*, of the City of *Philadelphia*, Joiner, praying to be appointed the Officer for meaſuring of Timber, Plank, *&c.* was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Houſe reſolved itſelf into a Committee of the whole Houſe, upon the Bill for ſtriking the Sum of to be made current, and emitted on Loan, within this Province, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and, after ſome Time ſpent thereon, the Speaker reſumed the Chair, and *Thomas Chandler*, Chairman, reported from the Committee, that they had come to the following Reſolutions, *viz.* That there ſhould be the Sum of *Forty Thouſand Pounds* ſtruck, in Addition to the Paper Currency of this Province; to which the Houſe agreed, and ordered the ſaid Sum to be inſerted in the Bill.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 22. The Gentlemen appointed to wait on the Governor with the Bill for erecting the *North-Weſt* Part of *Bucks* into a ſeparate County, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would give it all the Diſpatch in his Power.

The Houſe reſumed the Conſideration of the Bill for ſtriking the Sum of *Forty Thouſand Pounds*, &c. and, after ſome Time ſpent therein, it was ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

February 24. The Houſe met purſuant to their Adjournment.

Poſt Meridiem The Petition from divers Inhabitants of the City and County of *Philadelphia*, relating to the great Increaſe of Dogs, was again read;

Ordered, That *Edward Warner*, *Hugh Evans*, *Evan Morgan*, *Joſeph Trotter*, *John Smith*, *Benjamin Franklin* and *Hugh Roberts* be a Committee to prepare and bring in a Bill for the Purpoſes mentioned in the ſaid Petition.

The Report of the Committee relating to Pounds, was again read;

Ordered, That the ſame Committee do prepare and bring in a Bill, agreeable to the ſaid Report.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 25. The Bill for regulating of Vendues, was read the ſecond time, and conſidered, Paragraph by Paragraph;

Ordered, That the Bill be committed for Amendment to *Edward Warner*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *John Wright* and *Daniel Williams*.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to inſpect the Accounts of *George Croghan*, made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members.

A Bill for directing the Choice of Inſpectors, and for repealing and amending ſeveral Acts of Aſſembly of this Province, was read the firſt time, and *Ordered to lie on the Table.*

A Propoſal from ſundry ſubſtantial Freeholders of the City of *Philadelphia*, offering to ſign the Bills of Credit, intended to be iſſued by the Law now under Conſideration, and

and to contribute such Sums of Money as may by Law become due to them for that Service, towards increasing the Capital Stock of the Hospital for the Relief of the sick Poor, was presented to the House and read. 1752. February 25.

The Bill for striking the Sum of *Forty Thousand Pounds*, &c. being transcribed, was read the third time; and the Names of the Persons offering to sign the Bills being inserted;

Resolved, That the Bill do pass.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from divers Inhabitants of *Chester* County was presented to the House and read, setting forth, that they are very sensible of the great and general Benefit arising from the Law made for the Recovery of Debts, not exceeding *Five Pounds*, to the Inhabitants of this Province; that they humbly conceive, were an Act passed for Recovery of Debts not exceeding *Ten Pounds*, in Manner of the aforesaid Act, with a greater Allowance of Time for Payment, it would be of yet greater Benefit to the Inhabitants aforesaid, as it would lessen the Costs and Charges of such Suits as are carried on through the Courts, and prevent long and expensive Journeys to the remote Inhabitants. February 26.

Ordered to lie on the Table.

A Bill for regulating Attachments under *Five Pounds*, was read the first time, and ordered a second Reading.

Ordered, That *John Smith* and *Hugh Roberts* do wait upon the Governor, and deliver the Bill for striking the Sum of *Forty Thousand Pounds*, &c. and desire his Concurrence thereto.

The Bill for regulating the Assize of Bread, was read the second time, Paragraph by Paragraph, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait on the Governor with the Bill for striking the Sum of *Forty Thousand Pounds*, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would give it all the Dispatch possible. *Post Meridiem*

A Petition from divers Merchants of the City of *Philadelphia* was presented to the House and read, praying Leave to insert a Clause in the Bill the House have allowed them to bring in for regulating Staves, Lumber, *&c.* to appoint an Officer to inspect and measure Wheat, *Indian* Corn and other Grain, brought to this Market by Water for Exportation;

Ordered, That the said Petitioners have Leave to insert a Clause in the Bill they are to bring in, for the Purposes mentioned in their Petition.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Report of the Committee relating to *George Croghan's* Accounts, was again read, and agreed to, *viz.* That he should be allowed *Forty-nine Pounds Six Shillings* for his Disbursements among the *Indians*, and *Thirty Pounds* for bringing *Samuel Saunders* to Justice; and an Order was accordingly drawn on the Treasurer, and, by Order of the House, signed by the Speaker, for the Payment of the same. February 27.

The Committee appointed to consider the Accounts of the Overseers of the Poor of *Germantown* Township, report, that it is their Opinion, the Sum of *Twelve Pounds Four Shillings* and *Ten-pence* be allowed in full, for Discharge of the same; and also that the Sum of *Fifteen Pounds* be allowed to Doctor *Charles Bensel*, in full of his Account for Medicines and Attendance in the Cure of the wounded *Indian*.

To which the House agreed; and Orders for Payment thereof were accordingly drawn, and signed by the Speaker.

Ordered, That *Edward Warner* do, with the Speaker, examine the Accounts of the late Superintendant of the State-house, and report thereon at the next Sitting of this Assembly.

A Bill for regulating of Fees was read the first time, and ordered a second Reading.

The Bill for regulating Attachments under *Five Pounds*, was read, and considered, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Bill for suppressing of Gaming, made a Report in Writing, which was read, and is as follows, *viz.* February 28.

Report from the Committee appointed to prepare a Bill for suppressing of Gaming.

WE the Committee appointed to prepare a Bill for suppressing the Practice of Gameing and Gaming-houses (so justly complained of by the Inhabitants of the City of *Philadelphia* in their late Petition) have examined the several Statutes of *Great-Britain* relating to Gaming; and although it appears that the Legislature there have taken Care to provide Laws from Time to Time against that great Evil; yet we observe, from the King's late Speech to the Parliament, that those Laws have not fully answered the good Purposes designed: Therefore, as we have Reason to hope the Parliament will speedily make such further Provision as to put a Stop to that growing Vice, we are of Opinion, that if the Consideration of the Bill is referred over to the next Sessions of Assembly, we may

1752. *February* 28. may by that Time be informed of the Proceedings of Parliament therein, which may the better enable us to frame a Bill to ſuppreſs the Practice of Gaming in this Province: But if the Houſe do, nevertheleſs, think fit to make ſome Proviſion againſt it in a Law at this Time, the Committee will proceed to bring in a Bill accordingly, agreeable to the Order of the Houſe.

EVAN MORGAN, PETER DICKS,
HUGH ROBERTS, JAMES WRIGHT,
MAHLON KIRKBRIDE, JOHN WRIGHT."

Ordered, That the ſaid Committee do prepare a Bill for the Purpoſes above mentioned againſt the next Sitting of Aſſembly.

The Bill to prevent Diſputes about the Dates of Conveyances and other Inſtruments and Writings, was read the ſecond time, Paragraph by Paragraph, and ordered to be tranſcribed for a third Reading.

A Bill to prevent the Exportation of Wheat, Indian Corn, Flaxſeed and other Grain, and of Shingles, Staves, Heading, Boards and Timber, not merchantable, and to appoint an Officer to meaſure Salt imported into this Province, being brought into the Houſe, purſuant to Leave given, was read the firſt time, and ordered a ſecond Reading.

The Houſe being informed by ſome of the Members, that the Corporation of the City of *Philadelphia* had hitherto appointed an Officer for meaſuring of Wheat, Indian Corn and Flaxſeed, alſo one for meaſuring of Salt; the Clerk was ordered to give Notice to the Petitioners, that they acquaint the Corporation with what is contained in the above Bill with reſpect to thoſe Offices, that they may be heard thereupon if they think fit.

The Bill for regulating Attachments under *Five Pounds*, was read, and conſidered, Paragraph by Paragraph, and ordered to be tranſcribed for a third Reading.

Adjournment, *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Bill to regulate the Aſſize of Bread being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Hugh Evans* and *Joſhua Morris* do wait upon the Governor with the ſame, and deſire his Concurrence thereto.

The Petition of divers Inhabitants of *Cheſter* County, praying that the Act for the Recovery of Debts not exceeding *Five Pounds* before a ſingle Magiſtrate, may be made to extend to *Ten Pounds*, was read the ſecond time, and *Ordered to lie on the Table.*

The Bill for the Diſcovery of Frauds, and for the Examination of Witneſſes in *perpetuam Rei Memoriam*, &c. was read the ſecond time, and

Ordered to lie on the Table.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 29. The Gentlemen appointed to wait on the Governor with the Bill for regulating the Aſſize of Bread, reported, that they had delivered the ſame accordingly, and that the Governor was pleaſed to ſay, he would give it all the Diſpatch in his Power.

The Bill to prevent Diſputes about the Dates of Conveyances and other Inſtruments and Writings, being tranſcribed, was read the third time;

Reſolved, *N. C. D.* That the Bill do paſs.

The Bill for regulating Attachments under *Five Pounds*, being tranſcribed, was read the third time;

Reſolved N. C. D. That the Bill do paſs.

Ordered, That *Edward Warner* and *James Wright* do wait on the Governor with the ſaid Bills, and deſire his Concurrence.

Daniel Williams has Leave to be abſent the Remainder of this Sitting on urgent Buſineſs.

A Petition from *James Claypoole*, of the City of *Philadelphia*, praying to be nominated the Officer for meaſuring of Timber and Plank, if the Houſe ſhould paſs the Bill now before them for that Purpoſe; was preſented to the Houſe and read, and

Ordered to lie on the Table.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

March 2. The Houſe met purſuant to their Adjournment.

Poſt Meridiem The Gentlemen appointed to wait on the Governor with the Bill for preventing Diſputes about the Dates of Conveyances, *&c.* and the Bill for regulating Attachments under *Five Pounds*, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would give them all the Diſpatch he could.

Ordered, That Candles be brought in.

The Bill for regulating and eſtabliſhing Fees, was read the ſecond time, and debated, and, after ſome Time ſpent therein, it was referred to further Conſideration.

Adjournment Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

March 3. The Bill for directing the Choice of Inſpectors, *&c.* was read the ſecond time, and, after ſome Debate thereon, it was referred to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

A Bill

A Bill, entituled, *A Supplement to the Act*, entituled, *An Act for erecting of Pounds in each Townſhip of this Province*, was read the firſt time, and ordered a ſecond Reading. 1752. *March* 3. *Poſt Meridiem*

The Houſe reſumed the Conſideration of the Bill for directing the Choice of Inſpectors, and for repealing and amending ſeveral Acts of Aſſembly of this Province; and the ſame being read, Paragraph by Paragraph, was, after ſome Amendments, and an Alteration in the Title, ordered to be tranſcribed for a third Reading.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for directing the Choice of Inſpectors in the Counties of *Cheſter*, *Lancaſter*, *York*, *Cumberland*, *Berks* and *Northampton*, being tranſcribed, was read the third time, and, upon the Queſtion, *March* 4.

Reſolved, That the Bill do paſs.

Ordered, That *Joſhua Morris* and *James Wright* do wait on the Governor with the ſaid Bill for his Concurrence.

A Petition from *Jacob Shoemaker*, of the City of *Philadelphia*, Turner, ſetting forth, that he is informed there is a Bill now before the Houſe to appoint an Officer for the Inſpecting and Meaſuring of Grain and Seed in this City, therefore praying he may be appointed the ſaid Officer, was preſented to the Houſe and read, and

Ordered to lie on the Table.

The Bill, entituled, *A Supplement to the Act*, entituled, *An Act for erecting of Pounds in each Townſhip of this Province*, was read the ſecond time, and referred to farther Conſideration.

The Gentlemen appointed to wait on the Governor with the Bill for directing the Choice of Inſpectors, *&c.* return and report, that they had waited on the Governor, and delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would take it immediately under Conſideration, and give it all the Diſpatch poſſible.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Speaker is requeſted to procure, for the Uſe of the Houſe, as many of the Laws of the neighbouring Provinces as can be had, and ſuch other ſuitable Law Books as he may think neceſſary; and the Truſtees of the Loan-Office are directed to ſupply the Coſt, to be allowed by the Committee of Accounts.

The Houſe reſumed the Conſideration of the Bill, entituled, *A Supplement to the Act*, entituled, *An Act for erecting of Pounds*, &c. and, after ſome Debate thereon, ordered it to be tranſcribed for a third Reading.

Then the Houſe adjourned to Nine o'Clock To-morrow Morning. Adjournment

The Secretary attending without, was called in, and, addreſſing himſelf to the Speaker, ſaid, *March* 5.

"SIR,

I have the Governor's Order to acquaint the Houſe, that, to the beſt of his Remembrance, he never ſaw any Paper from the *Cumberland* Truſtees, ſuch as is referred to by the Petitioners, and therefore admires at the Boldneſs of the Petitioners, who muſt have aſſerted that Fact upon Hearſay."

The Secretary brought down the Bill to prevent Diſputes about the Dates of Conveyances, *&c.* which he ſaid the Governor was ready to paſs into a Law.

He alſo delivered the Bill to regulate the Aſſize of Bread, with a propoſed Amendment, and ſaid, the Governor was alſo ready to paſs that Bill into a Law, in caſe the Houſe agreed with his propoſed Amendment.

The Secretary farther ſaid, that the Governor directed him to acquaint the Houſe, that he ſhould give the other Bills under his Conſideration all the Diſpatch in his Power.

Then the Secretary withdrew.

The propoſed Amendment of the Bill to regulate the Aſſize of Bread, being read, was agreed to, and inſerted at the Table, and ordered to be engroſſed therewith.

The Bill to prevent Diſputes about the Dates of Conveyances, *&c.* was likewiſe ordered to be engroſſed.

A Bill for preventing Bribery and Corruption in the Election of Sheriffs and Coroners within this Province, was read the firſt time, and ordered a ſecond Reading.

The Bill, entituled, *A Supplement to the Act*, entituled, *An Act for regulating of Pounds*, being tranſcribed, was read the third time, and, upon the Queſtion,

Reſolved, That the Bill do paſs.

Ordered, That *Peter Dicks* and *Arthur Patterſon* do wait on the Governor with the ſaid Bill, for his Concurrence.

The Houſe reſumed the Conſideration of the Bill for regulating and eſtabliſhing of Fees, and, after ſome Time ſpent therein, it was referred to farther Conſideration.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Gentlemen appointed to wait on the Governor with the Bill, entituled, *A Supplement to the Act*, entituled, *An Act for regulating of Pounds*, reported, that they had delivered

1752. delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would conſider it, and give it all the Diſpatch in his Power.

March 5. A Bill for the laying a Tax on Dogs, kept within the City of *Philadelphia*, and the Townſhips of the *Northern Liberties*, *Paſſyunk* and *Moyamenſing*, and for the better Support of the Poor within the ſaid City and Townſhips, was read the firſt time, and ordered a ſecond Reading.

The Houſe reſumed the Conſideration of the Bill for regulating Fees, and, after ſome Time ſpent thereon, it was ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 6. The Bill for preventing Bribery and Corruption in the Election of Sheriffs and Coroners within this Province, was read the ſecond time, Paragraph by Paragraph, and ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor, by his Secretary, ſent down the Bill for erecting Part of *Philadelphia*, *Cheſter* and *Lancaſter* Counties into a ſeparate County, and the Bill for erecting the *North-weſt* Part of *Bucks* into a ſeparate County, with ſome Amendments; and the Bill for directing the Choice of Inſpectors, *&c.* with one Amendment, all which were read, agreed to by the Houſe, and ordered to be engroſſed with the ſaid Bills.

The Secretary alſo delivered the Bill for ſtriking *Forty Thouſand Pounds*, &c. with a Meſſage, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'WHEN I conſider, that by our ſtrongeſt Solicitations, and with great Difficulty, this and the *Southern* Colonies were ſaved out of the late Act of Parliament, "reſtraining the *Northern* Colonies from creating or re-emitting any Bills of Credit, "except on ſudden and extraordinary Emergencies;" and that this Favour was ſhewn 'to us in particular by the *Britiſh* Parliament, upon Repreſentations made on our Be-'half, that we had never exceeded the Bounds of Moderation with regard to the Quan-'tities by us made; and that the laſt Emiſſion was of only the Sum of *Eleven Thouſand* '*One Hundred* and *Ten Pounds*; I cannot think it adviſeable, at this Time, when thoſe 'Repreſentations are freſh in the Memory of that honourable Board, to whoſe Con-'ſideration, it is well known, all our Laws are referred, to offer the Crown an Act of 'Aſſembly, not only for the re-emitting our preſent Currency for a long Term of Years, 'but for a new Emiſſion of a larger Sum than was ever at one Time made in the Pro-'vince; becauſe I am apprehenſive that ſuch a Conduct may probably ſubject us to the 'Diſpleaſure of his Majeſty and the *Britiſh* Parliament, and thereby endanger our pre-'ſent Paper Money, or at leaſt render future Applications for additional Sums leſs ef-'fectual. For theſe Reaſons I cannot give my Aſſent to the Bill before me, for ſtrike-'ing *Forty Thouſand Pounds*, to be made current, and emitted on Loan, and for re-'emitting and continuing the Currency of the Bills of Credit of this Province.

March 6, 1752. *JAMES HAMILTON.*"

And the Governor's Meſſage being conſidered,

Ordered, That *John Smith*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joſeph Gibbons*, *James Wright* and *John Wright* be a Committee to prepare a Draught of an Addreſs in Anſwer to the ſame.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 7. The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read by Order, agreed to, and ordered to be tranſcribed.

The Bill for preventing Bribery and Corruption in the Election of Sheriffs, *&c.* being tranſcribed, was read the third time;

Reſolved, *N. C. D.* That the Bill do paſs.

The Bill for regulating and eſtabliſhing Fees, being tranſcribed, was read the third time;

Reſolved, *N. C. D.* That the Bill do paſs.

The Meſſage to the Governor being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor.

AS the Bill for ſtriking *Forty Thouſand Pounds*, &c. was agreed upon by the Houſe after a long and very ſerious Deliberation, we were well aſſured that the Bill, as then ſent up to him, would have tended greatly to the Welfare of this Province, had the Governor been pleaſed to paſs it.

But to obviate every Objection, and to demonſtrate how far we are from being deſirous of "exceeding the Bounds of Moderation," even at this Time, when our Gold and Silver is in a great Meaſure exported to *Great-Britain*, in Return for the Commodities received from thence, and our Trade really languiſhes for Want of an Addition to

our

our Paper Currency, we now preſent the Bill, with a Deduction from the Sum to be ſtruck, which we hope the Governor will find ſo much below what our Trade, and Commerce, and the Intereſt of the Merchants and Manufacturers of *Great-Britain*, trading to this Province, require, that it cannot fail of meeting his Approbation. 1752. March 7.

We have examined the Votes of the Houſe of Commons for the laſt Year, and obſerve, with great Satisfaction, how tenderly and patiently they proceeded againſt the four "*Northern* Colonies," where the miſerable Condition of their Trade, and the Injuſtice done to the "Widows and Orphans," as well as the *Britiſh* Merchants, from the exceſſive Emiſſions of their Bills of Credit, in Oppoſition to "ſome of the Deputies of the Aſſembly," and a great Number of Petitions from the moſt conſiderable Inhabitants of *Rhode-Iſland*, who repreſented thoſe Emiſſions as totally unneceſſary, and in no Reſpect wanted, might have induced that honourable Houſe to have acted with leſs Reſerve.

Before ſuch Judges, where the State of our Currency has been repeatedly called for, and examined, we beg Leave to aſſure the Governor, we have no Apprehenſions of Danger, being well aſſured, that, upon the ſevereſt Scrutiny, it muſt appear to be the Advantage of the Trade of our Mother Country, in full Proportion to what we can expect or hope to reap among ourſelves.

By a Meſſage from the Governor to the Aſſembly in *February* 1748, we obſerve, he hoped it would not be thought unreaſonable if he took ſome Time to get the beſt Information to enable him to form a right Judgment upon the Bill for making current *Twenty Thouſand Pounds* then before him, and that the Delay might not be attended with any conſiderable Inconvenience to the People, as there was confeſſedly at that Time a greater Sum current [Gold and Silver included] than at any Time before. And again, on the 10th of *Auguſt*, 1749, he judged it might be attended with very bad Conſequences to the Province to increaſe the Quantity of our Currency, whilſt a Bill was depending in Parliament for reſtraining the Iſſuing the Bills of Credit in the Colonies of *America:* To all which the then Aſſembly very prudently ſubmitted, and proceeded no farther upon the Bill.

But at this Time, when thoſe Reaſons are anſwered by the great Exportation of our Gold and Silver, and when the Parliament, after ſo ſtrict an Enquiry, have not found Cauſe to include us in the Reſtrictions laid upon the Four *Northern* Colonies, we hope the Objection to a Re-emiſſion, which by this Bill is continued no longer than ſix Years beyond the Time limited by the Act in Force, can now have no Weight, when a further Addition, as appears clear to us, is become abſolutely neceſſary, there having been but an inconſiderable Sum added to our Paper Currency for theſe Twenty Years paſt, though, within that Time, the Number of our Inhabitants and our Trade are greatly increaſed; and therefore, upon reducing the Sum at preſent deſired ſo very low as we have now done, we truſt the Governor will readily oblige us, and our Conſtituents, by giving his Aſſent to the Bill."

And the ſaid Meſſage being ſigned by the Speaker, *per* Order of the Houſe,

Ordered, That *Evan Morgan* and *John Smith* wait on the Governor, and deliver the ſame, with the Bill for ſtriking *Twenty Thouſand Pounds*; and alſo that they deliver to the Governor the Bill for preventing Bribery and Corruption, *&c.* and the Bill for regulating and eſtabliſhing of Fees, and deſire his Concurrence thereto.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment

The Houſe met according to their Adjournment. *March* 9.

The Gentlemen appointed to wait upon the Governor with the ſeveral Bills, and Meſſage of the ſeventh Inſtant, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would conſider them, and give an Anſwer to the Houſe as ſoon as poſſible. *Poſt Meridiem*

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for laying a Tax on Dogs, *&c.* was read the ſecond time. *March* 10.

The Governor, by his Secretary, ſent down the Bill for preventing Bribery and Corruption, *&c.* with a verbal Meſſage, 'That he was ready to paſs it into a Law, when it 'ſhould be preſented to him for that Purpoſe.'

The Governor alſo ſent down the Bill about Pounds, *&c.* with the following Meſſage, *viz.*

GENTLEMEN,

'AS the Supplementary Bill before me to the Act, entituled, *An Act for erecting of* A Meſſage from the Governor to the Aſſembly.
'*Pounds in each Townſhip of this Province*, appears to me manifeſtly to interfere
'with certain Rights which the honourable Proprietaries have claimed and exerciſed
'ſince the firſt Settlement of the Province, I cannot give my Aſſent to make that Bill
'a Law.

March 10, 1752. *JAMES HAMILTON.*"

The

1752. *March* 10. The Governor alſo ſent down the Bill for ſtriking *Twenty Thouſand Pounds*, &c. with a Meſſage, which is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE Reaſons offered in your Meſſage of the ſeventh Inſtant, for my paſſing the 'Bill to re-emit our current Paper Money, and ſtriking the additional Sum of 'Twenty Thouſand Pounds, I have peruſed, and conſidered with the Attention due to 'Matters of ſo great Importance. But as our preſent Bills of Credit will continue to 'be current for more than four Years, without any Diminution, and the Prices of our 'Export Commodities, in my Opinion, ſhew we are not in immediate Want of Money 'as a Medium of Commerce; making the beſt Judgment I am able of what has lately 'paſſed in *England* concerning Paper Currencies in *America*, I cannot ſee my paſſing 'the Bill in the Light the Aſſembly does, and therefore cannot give my Aſſent to it. 'It is no uncommon Thing for Men to differ in Sentiment: Whenever it happens be-'tween different Branches of a Legiſlature, each Part ſhould be guided by their own 'Underſtandings, and the Dictates of their own Conſciences. This Rule, I am per-'ſuaded, you never ſwerved from, and therefore muſt the readier approve of my ob-'ſerving it.

March 10, 1752. *JAMES HAMILTON.*"

The Secretary alſo ſaid, "That he was commanded by the Governor to acquaint the Houſe, that the ſettling a general Bill of the Fees to be taken by all the Officers of the Government, is a Matter of very great Importance, and will, in his Opinion, require more Time and Conſideration, than the Shortneſs of the preſent Seſſion will admit of, and therefore he inclines to keep the Bill under Adviſement till the next Meeting of the Aſſembly."

And the Secretary added, "That he was further commanded by the Governor to inform the Houſe, that he is a Friend to the Deſign of the Bill for regulating Attachments under *Five Pounds*; but thinks it ſtands in Need of more Corrections and Alterations than can be well gone into at preſent: And that by the next Meeting of Aſſembly, he will endeavour to amend it in ſuch Manner as to make it anſwer the good Purpoſes intended by it."

Then the Secretary withdrew.

Ordered, That the Bill for preventing Bribery and Corruption, *&c.* be ingroſſed.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill for preventing Bribery and Corruption, *&c.* being ingroſſed, was read, and compared at the Table.

Ordered, That *Evan Morgan* and *Henry Pawling* do wait on the Governor, and acquaint him, that all thoſe Bills which had paſſed the Houſe with his Concurrence, were, with his Amendments, agreed to, and ingroſſed; and that the Houſe deſire he would be pleaſed to appoint ſome of the Council to meet a Committee of this Houſe, in order to compare the ſaid Bills: And further, deſire to know what Time the Governor would be pleaſed to appoint that the Houſe ſhould wait upon him, in order to the Paſſing the ſame into Laws.

Ordered, That the Truſtees of the *Province Iſland* do ſettle with the Committee of Accounts for the ſeveral Sums by them received on Account of ſaid Iſland, and the Committee are directed to make it Part of their Report.

Reſolved, That this Houſe will To-morrow adjourn to the tenth Day of the Month called *Auguſt*.

The Bill for laying a Tax on Dogs, *&c.* was again read, and conſidered, and referred to the ſame Committee that brought it in, to be by them amended againſt the next Seſſions of Aſſembly.

The Bill to prevent the Exportation of Wheat, Staves, *&c.* was read the ſecond time, and referred to further Conſideration at the next Seſſions of Aſſembly.

The Gentlemen appointed to wait on the Governor, return and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would appoint two Members of Council to meet the like Number of this Houſe, to compare the ingroſſed Bills at Eleven o'Clock To morrow Morning; and that he would be ready to receive the Houſe at Twelve o'Clock, in order to enact them into Laws.

Ordered, That *Evan Morgan* and *Hugh Roberts* do join the Committee of Council to ſee thoſe Bills compared.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 11. The Committee appointed to join with a Committee of Council, in examining and comparing the ingroſſed Bills, report, that they find them to agree with their Originals.

Reſolved, That *Six Hundred Pounds* be now given to the Honourable JAMES HAMILTON, Eſq; Governor of this Province, in Part of his Support for the current Year.

And

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, for Payment of the same. 1752. *March* 11.

Ordered, That *Benjamin Franklin* and *Hugh Roberts* see the great Seal affixed to the Laws after they are passed, and the same deposited in the Rolls Office.

A Message from the Governor, by the Secretary.

Mr. SPEAKER,

The Governor is now ready to receive the House in the Council Chamber, in order to enact into Laws such Bills as have passed the House with his Concurrence.

Then the Speaker, with the whole House, waited on the Governor.

The House being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the following Bills, *viz.*

An ACT *for erecting Part of the Counties of* Philadelphia, Chester *and* Lancaster, *into a separate County.*

An ACT *for erecting the* North-West *Part of* Bucks *into a separate County.*

An ACT *to regulate the Assize of Bread.*

An ACT *to prevent Disputes about the Dates of Conveyances, and other Instruments and Writings.*

An ACT *for directing the Choice of Inspectors in the Counties of* Chester, Lancaster, York, Cumberland, Berks *and* Northampton.

An ACT *for preventing Bribery and Corruption in the Election of Sheriffs and Coroners within this Province.*

To which the Governor was pleased to give his Assent, by enacting the same into Laws: That the Speaker had also presented the Governor with the Order on the Treasurer, for which he was pleased to thank the House.

Ordered, That *Joseph Trotter* and *Thomas Cummings* do wait on the Governor, and acquaint him, that the House are inclined to adjourn to the Tenth Day of the Month called *August*, if he hath no Objection to that Time.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to acquaint the Governor with the proposed Time of Adjournment, reported, that they had done the same according to Order; and that the Governor was pleased to say, he had no Objection thereto. *Post Meridiem*

The Gentlemen appointed to see the Great Seal affixed to the Laws, report, that the same is done, and that they are deposited in the Rolls Office.

The House resuming the Consideration of the Governor's Message relating to the Bill for striking *Twenty Thousand Pounds*, &c.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Richard Walker*, *George Ashbridge*, *James Wright* and *John Wright* be a Committee to enquire into the State of our Paper Currency, our foreign and domestic Trade; and the Number of People within this Province, and report thereon to the next Sitting of Assembly.

Ordered, That the Superintendants of the State-house do provide a large Clock to strike on the Bell, in the Tower of the said Building, with a suitable Dial-plate to show the Hours and Minutes.

Ordered, That *Evan Morgan*, *Hugh Roberts*, *Joseph Gibbons*, *Griffith Owen*, *Calvin Cooper* and *John Withero* be a Committee to consider the Bill relating to Wheat, Staves, *&c.* and report thereon to the next Sitting of Assembly.

Ordered, That the Clerk do copy all the Accounts that have been received from the present Agent in *London*, in a bound Book to be provided for that Purpose.

Then the House adjourned to the Tenth Day of the Month called *August*. Adjournment

THE House met pursuant to their Adjournment. *August* 10.

Ordered, That *Evan Morgan* and *Hugh Roberts* wait upon the Governor and acquaint him, that the House have met according to their Adjournment, and are ready to receive any Thing he may have to lay before them. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had seen the Secretary, who informed them, that the Governor, not being well, was obliged to go out of Town sooner than he had designed, but had directed him to receive the Message of the House; and acquaint them, that the Governor would send down the Bills, now before him, to the House To-morrow Morning. *August* 11.

A Petition from *Thomas Green*, of the City of *Philadelphia*, House-carpenter, was presented to the House, and read, setting forth, that the Estate of *Daniel Pegg* was, by a Settlement made on the Fourth Instant, found indebted to the Province in the Sum of *One Hundred* and *Sixty-nine Pounds Seven Shillings* and *Ten-pence*; that the Superintendants of the State-house had taken out an Execution on the Petitioner's Land for the said Debt; that the Petitioner very well knows, if a little more Time is allowed him, he can sell the said Land for double the Sum due to the Province; therefore prays this

1752. *Auguſt* 11. Houſe would grant him Relief in the Premiſes, by directing the Superintendants to take a Mortgage on the ſaid Land, and allow him ſome farther Time for Payment of the ſame. *Ordered to lie on the Table.*

A Petition from *John Beſſonet* and *Peter White*, of the County of *Bucks*, was preſented to the Houſe and read, ſetting forth, that they had become bound in the Sum of *One Hundred Pounds* as Security for *John Hall*, the late Collector of the Exciſe for that County, for the faithful Diſcharge of his ſaid Office; that the ſaid *John Hall*, by a long and dangerous Fit of Illneſs, which for ſeveral Months deprived him of his Reaſon, became incapable of executing the Duties of his ſaid Office, when another Collector, about eighteen Months ſince, was appointed in his Stead, at which Time the ſaid *John Hall* was conſiderably indebted for Monies he received in the Execution of his ſaid Office; that the ſaid *John Hall*, at the Time of his being deprived of his ſaid Office, and for a conſiderable Time after, had Effects ſufficient to diſcharge the ſaid Debt, had the proper Steps been taken; but that being neglected, and the ſaid *John Hall* ſince that Time become inſolvent, the Petitioners are apprehenſive they may be made liable for the Money ſo due from the ſaid *John Hall* as aforeſaid; that the ſaid *John Hall* being ſo long deprived of his Senſes, the Petitioners had it not in their Power to do any Thing for their own Security, till they had themſelves been proſecuted, but that being hitherto omitted, the Opportunity is loſt to them; ſo that ſhould a Proceſs in Law be commenced, the Loſs will entirely fall upon the Petitioners, to the Ruin of both their Families; that as there are no Inſtances as they know of, wherein the Bondſmen have ever been made liable in ſuch Caſes, they therefore humbly pray this Houſe would take the Premiſes into Conſideration, and prevent their being made the firſt Examples.

Ordered to lie on the Table.

A Petition from *John Kelton*, of the County of *Cumberland*, was preſented to the Houſe and read, ſetting forth, that about a Year ago ſome *Indians*, paſſing by his Houſe, took from him a Horſe, Value *Twenty Pounds*, which they have ſince abſolutely refuſed to return; therefore praying an Allowance for the ſame.

Ordered to lie on the Table.

Ordered, That the Superintendants of the State-houſe do purchaſe of *William Allen*, Eſq; on the moſt reaſonable Terms they can, for the Uſe of the Province, all that Lot belonging to the ſaid *Allen*, which lies *South* of the ſaid Building, fronting on *Walnut-ſtreet*, and on which a Cedar Tree now ſtands.

Sundry Letters from the Agents were produced to the Houſe by the Committee of Correſpondence, and laid on the Table for the Peruſal of the Members.

The Governor, by his Secretary, ſent down the Bill for regulating and eſtabliſhing Fees, with ſome propoſed Amendments; alſo the Bill for regulating Attachments under *Five Pounds*, with ſundry Amendments.

The Governor's propoſed Amendments to the Bill for regulating and eſtabliſhing Fees were read, and referred to further Conſideration.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem Adjournment — The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

Auguſt 12. *Reſolved*, That *One Hundred* and *Fifty Pounds* current Money of this Province be paid out of the public Treaſury, as a Reward to any Perſon or Perſons who ſhall apprehend and ſecure the three Murderers of *Eleanor Davis* and *John Thomas*, ſo that they may be brought to Juſtice, or *Fifty Pounds* per Head for any of them.

Ordered, That the above Reſolve be printed in the next Gazette.

The Houſe reſumed the Conſideration of the Governor's propoſed Amendments to the Bill for regulating and eſtabliſhing Fees, and referred the further Conſideration thereof to the Afternoon.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Houſe reſumed the Conſideration of the Governor's propoſed Amendments to the Bill for regulating and eſtabliſhing Fees; and, after a conſiderable Time ſpent thereon, referred the farther Conſideration thereof to To-morrow Morning.

Adjournment — Then the Houſe adjourned till Ten o'Clock To-morrow Morning.

Auguſt 13. The Governor's propoſed Amendments to the Bill for regulating and eſtabliſhing Fees, were again read, and conſidered, to ſome of which the Houſe agreed, and in others adhered to the Bill.

Ordered, That *Benjamin Franklin* and *Mahlon Kirkbride* do wait upon the Governor with the ſaid Bill, and acquaint him, the Houſe have agreed to ſome of his Amendments, and in others adhere to the Bill.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Houſe took into Conſideration the Governor's propoſed Amendments to the Bill for regulating Attachments under *Five Pounds*; and, after ſome Time ſpent thereon, the farther Conſideration thereof was adjourned to To-morrow Morning.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 14. The Gentlemen appointed to carry up the Bill for regulating and eſtabliſhing Fees, to the

the Governor, with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would take the Amendments again into Consideration. 1752. August 14.

A Petition from *George Claypoole*, of the City of *Philadelphia*, Joiner, praying to be appointed the Officer for measuring Plank, Boards, &c. if a Law for that Purpose should pass this House, was presented to the House and read, and

Ordered to lie on the Table.

The Petition of *Thomas Green*, House-carpenter of the City of *Philadelphia*, was again read, and considered.

Ordered, That the Superintendants of the State-house do take a Mortgage of the said *Green*, agreeable to the Prayer of his Petition.

The Bill for regulating Attachments not exceeding *Five Pounds*, was read, together with the Governor's Amendments; which, after a considerable Debate thereon, were agreed to, and ordered to be engrossed with the Bill.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Petition of *John Kelton*, of the County of *Cumberland*, was again read, and considered. *Post Meridiem*

Ordered, That an Order be drawn on the Treasurer for the Payment of *Five Pounds* to the said *John Kelton*.

And an Order was accordingly drawn, and signed by the Speaker, by Order of the House.

The Petition from *John Bessonet* and *Peter White* was again read, and considered;

Ordered, That the Clerk do serve the Treasurer with a Copy of the said Petition, and acquaint him that the House require his Attendance on *Third-day* next, at Ten o'Clock in the Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Trustees of the *Province Island* laid before the House their Accounts for the several Sums by them received and disbursed on account of said Island; which were read; *August* 15.

Ordered, That the Committee of Accounts do allow, in their Settlement with the said Trustees, the Sum of *One Hundred* and *Forty Pounds*, in Consideration of their Services and Expences.

Ordered, That *Edward Warner* and *Joseph Trotter* do wait upon the Governor, and acquaint him, that the House have agreed to his proposed Amendments of the Bill for regulating Attachments; and farther, that they desire to know when they may expect the Governor's Result on the Bill, now before him, for regulating and establishing Fees.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment

The House met pursuant to their Adjournment. *August* 17.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would return an Answer to the House To-morrow Morning. *Post Meridiem*

Ordered, That *Joseph Trotter*, *Edward Warner*, *Hugh Roberts*, *Joseph Hamton*, *Thomas Cummings*, *Calvin Cooper*, *John Withero* and *Daniel Williams* be a Committee to inspect and settle the Accounts of the incidental Charges of the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, returned the Bill for regulating and establishing of Fees, with sundry Amendments, which were read, and some of them were agreed to by the House, and in others the House adhered to the Bill. *August* 18.

Ordered, That *John Smith* and *Hugh Roberts* do wait upon the Governor with the said Bill of Fees, and acquaint him, that the House have agreed to some of the Amendments now proposed by him, and in others adhere to the Bill,

The following Representation from *Michael Lightfoot*, Treasurer, was presented to the House and read, *viz.*

To the REPRESENTATIVES *of the Freemen of the Province of* Pennsylvania, *in* GENERAL ASSEMBLY *met.*

YOUR Treasurer having been served with a Copy of *John Bessonet* and *Peter White's* Petition to the House, wherein they would blame me for not seizing the Effects of *John Hall*, to pay the Debt due from him to the Province: In answer thereto, I desire Leave to acquaint the House, that soon after *John Hall's* Indisposition, I went to *Bristol* to find out what Circumstances his Accounts were in; and having Reason to believe that he had received more Money, on the Excise Account, than he had paid to me, I enquired whether he had any Estate, and could not understand that he had much, and, as he was an old Man, and then afflicted with Illness, had a Wife and several small Children, it seemed hard to seize upon what few Household-Goods they had: I therefore enquired about the Circumstances of his Bondsmen, and was told they were sufficient; Representation from the Treasurer to the Assembly.

1752. *Auguſt* 18. ficient; and as they were Neighbours to *John Hall*, and likely to know more of his Affairs than I did, I ſent them Word that I would have them ſecure themſelves, for I was afraid there would be a Deficiency, and that they would be liable to pay it. Soon after this I went to *Briſtol* again, and the Perſon, by whom I ſent the foregoing Meſſage, told me, he informed them of it, and they ſeemed unconcerned, alledging that the Aſſembly would not inſiſt on their paying it: At hearing of this, I was diſturbed, and wrote them a Letter, preſſing them very earneſtly to ſecure themſelves, if there was any Thing to be had; and from that Time, till within two Weeks of the preſent Sitting of the Aſſembly, I heard nothing from them. Then I went up to both their Houſes, and ſpoke to them; *Beſſonet* told me, he had received my Letter, and that they went to *John Hall*, and he promiſed to give them a Mortgage on ſome real Eſtate, but put them off from Time to Time, until his Creditors laid an Execution on it, and now there was not any Thing to be had; I told him, that if they had informed me that they had endeavoured to get Security, and could not do it, I would have come up and ſeized what there was; but as they did not, I did not know but what they had obtained Security; and as they were ſufficient to pay the Debt due to the Province, I made myſelf the more eaſy about it. This being the Caſe, your Treaſurer thinks the ſaid Securities for *John Hall* have the greateſt Reaſon to blame themſelves, if the Houſe ſhould not think proper to forgive the Debt due from him. All which I ſubmit to the Houſe.

MICHAEL LIGHTFOOT."

Ordered to lie on the Table.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Gentlemen appointed to wait on the Governor with the Bill of Fees, report, that they had done the ſame according to Order, and that the Governor was pleaſed to ſay he would return an Anſwer to the Houſe To-morrow Morning.

The Petition of *John Beſſonet* and *Peter White*, of *Bucks* County, was again read, and conſidered, together with the Repreſentation of *Michael Lightfoot*, Provincial Treaſurer;

Ordered, That the ſaid Petition of *John Beſſonet* and *Peter White* be diſmiſſed the Houſe.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 19. — The Bill for regulating Attachments not exceeding *Five Pounds*, being engroſſed, was read, and compared at the Table.

The Governor, by his Secretary, ſent down the Bill for regulating Fees, with a written Meſſage, which was read, and referred to further Conſideration in the Afternoon.

The Meſſage follows in theſe Words, *viz.*

A MESSAGE from the GOVERNOR *to the* ASSEMBLY.

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'I HAVE well conſidered the Reaſons given in your Paper of Yeſterday for the Amendments therein propoſed, and ſincerely wiſh our Sentiments, concerning them, had been the ſame.

'The Buſineſs of the Proprietary's Secretary, preparatory to, and in making out, Warrants and Patents for different Perſons, is ſo extremely various, that it ſeems impoſſible, by Law, to aſcertain a Reward that ſhall be exactly adequate to each Service; therefore, all that can be done is, to ſettle a Medium, by which, on the Whole, he may receive a Compenſation for his Trouble: And this, I think, will not be exceeded by the Aſſembly's agreeing to my Amendments.

'The Fees allowed the Attorney-General by my Amendments, I am of Opinion, in general, are not equal to the Trouble and Skill neceſſarily required to carry on criminal Proſecutions, many of which muſt always be loſt through the Proverty of the Defendants.

'For theſe Reaſons, I cannot recede from my former Amendments.

Auguſt 19, 1752. *JAMES HAMILTON.*"

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Committee of public Accounts made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members.

The Governor's Meſſage on the Bill of Fees, was again read, and conſidered;

And the Queſtion being put, Whether the Governor's propoſed Amendments ſhould be now inſerted in the Bill? *Paſſed in the Negative.*

Ordered, That *Evan Morgan* and *Henry Pawling* do wait upon the Governor, and acquaint him, that the Houſe have very ſeriouſly conſidered his Meſſage of this Morning, and cannot agree to the Amendments propoſed, but would be glad to have a Conference with the Governor thereon, if he would be pleaſed to appoint a Time and Place for that Purpoſe.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 20. — The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report,

report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would meet the House, or a Committee thereof, in the Council Chamber this Morning at Eleven o'Clock. 1752. *August* 20.

A Message from the Governor, by the Secretary.

Mr. SPEAKER,

The Governor is now in the Council Chamber according to Appointment, ready to confer with the House, or a Committee of the House, on the Bill for regulating and establishing Fees.

And the Secretary being withdrawn;

Ordered, That *Henry Pawling*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge* and *Peter Dicks* do, with the Speaker, wait upon the Governor, in order to have a Conference with him on the said Bill of Fees.

Ordered, That *Evan Morgan* and *Joshua Morris* be a Committee to meet some of the Council, to see the Bill for regulating Attachments not exceeding *Five Pounds* compared with the Amendments.

The Committee appointed to confer with the Governor on the Bill of Fees, return, and report, that they accordingly met, and had a Conference with the Governor, in the Council Chamber; that the Governor did not incline to recede from his Amendments for sundry Reasons, which the Committee reported to the House; and that the Governor had given them a Paper specifying several Particulars of the Services done by the Proprietary's Secretary in granting Patents, which, if the House thought fit, might be inserted in the Bill, without any additional Fee for the same.

The House taking the Report of the Committee of Conference into Consideration;

Resolved, That the said Particulars, mentioned in the Paper delivered the Committee by the Governor, should be inserted in the Bill of Fees, and that the said Bill be ingrossed with the Governor's Amendments.

The Gentlemen appointed to see the Bill for regulating Attachments not exceeding *Five Pounds* compared, report, that they had, with the Secretary, done the same according to Order.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Ordered, That the Bill for regulating of Vendues;

The Bill for laying a Tax on Dogs, kept within the City of *Philadelphia*, and the Townships of the *Northern Liberties*, *Passyunk* and *Moyamensing*, and for the better Support of the Poor within the said City and Townships;

The Bill to prevent the Exportation of Wheat, Indian Corn, Flaxseed, and other Grain, and of Shingles, Staves, Heading, Boards and Timber, not merchantable, and to appoint an Officer to measure Salt imported into this Province; and,

The Bill for suppressing the Practice of Gaming and Gaming-houses; which was ordered to be prepared against this Sitting, be referred to the Consideration of the next succeeding Assembly.

The Committee appointed the last Sitting of Assembly to enquire into the State of our Paper Currency, *&c.* made their Report in Writing, which was read, and is as follows, *viz.*

IN Obedience to the Order of the House, your Committee have enquired into the State and Circumstances of the Paper Currency of this Province, our foreign and domestic Trade, Numbers of People, *&c.* and do find; Report from the Committee on Paper Currency &c.

That in the Year 1723 the first Experiment of Paper Money was made in *Pennsylvania*, by striking and emitting on Loan, upon real Securities, the Sum of *Fifteen Thousand Pounds*. And the ill Consequences apprehended by some, as necessarily attending such a Currency, not appearing, but on the contrary great and manifest Advantages to the Public immediately ensuing, the Government were induced to pass another Act the same Year, for issuing a farther Sum of *Thirty Thousand Pounds*.

Experience demonstrating more and more the Benefit arising from this Currency to the Province, by the Encrease of Trade and People, and Improvement of Lands, and the Sum of *Forty-five Thousand Pounds* not being found sufficient for the Occasions of Commerce, the General Assembly did, in the Year 1729, strike and emit a farther Sum of *Thirty Thousand Pounds*, and in 1739 a small additional Sum, with which, the whole Currency then amounted to *Eighty Thousand Pounds*; and there has since been no Addition, except the Sum of *Five Thousand Pounds*, struck for the King's Use in 1746, great Part of which is already sunk by yearly Quota's of *Five Hundred Pounds* out of the Excise, as by Law directed.

That the Sum of *Eighty Thousand Pounds*, emitted on Loan, and now current, is, by Law, to continue entire not quite four Years longer, when it must begin to sink, in the Proportion of One Sixth Part *per Annum*, so that in six Years the Whole may be sunk and destroyed; and the Province will then be left without any Currency, except that precarious One of Silver, which cannot be depended on, being continually wanted to ship Home, as Returns, to pay for the Manufactures of *Great-Britain*.

1752. *Auguſt* 20.

That in 1723, and for ſome Years before, the Trade of this Province languiſhed for Want of a Medium; Building and Planting were diſcouraged, and the Inhabitants in City and Country rather diminiſhed than encreaſed. This is not only conſiſtent with the Knowledge of ſome of your Committee, who well remember the diſtreſſed Circumſtances of the People at that Time, that many Tradeſmen and others left the Country, and that a great Number of Houſes were vacant and untenanted in the City: But the ſwift Declenſion of our Trade appears from the Cuſtom-houſe Entries, where we find, that the Veſſels cleared from the Port of *Philadelphia* in the Year 1721 were 130, in 1722 but 110, and in 1723 only 85.

From that Period both the City and Country have flouriſhed and encreaſed in a moſt ſurprizing Manner. The Encreaſe of the City appears even to the Eye of every common Obſerver, the Number of new Buildings much exceeding the Old. It appears alſo by comparing the Bills of Mortality: For in the Year 1722 the Burials in *Philadelphia*, of all Ages, Sects and Colours, amounted to no more than 188, an exact Account being for that Year publiſhed monthly. Of the preceeding and next following Years we find no Account; but from *November* 20, 1729, to *November* 19, 1730, the Burials were 244; and from *November* 18, 1731, to *November* 16, 1732, they were 254, notwithſtanding that in the intermediate Year, the Small-pox raging in the Town, had alone carried off near 240 Perſons, and ſwell'd the Bill for that Year to 490. From hence to 1738, no Account is come to our Hands; but from *December* 25, 1738, to *December* 25, 1744, the Burials amounted to 3179, which being, at a Medium, 454 *per Annum*, ſhews the great Encreaſe of Inhabitants to that Time; and ſince 1744, the Encreaſe is thought rather to have exceeded in Proportion.

Your Committee have endeavoured to procure from the yearly Tax Books, Accounts of the Number of taxable Inhabitants in the Counties of this Province for ſeveral Years, ſince the firſt ſtriking of Paper Money; and though the Accounts they have obtained are not ſo perfect as could be wiſhed (ſome of thoſe Books being loſt or miſlaid) yet they find ſufficient to ſhew that a very great Addition has been made, *viz.* In the City and County of *Philadelphia*, it appears that there were in the Year 1720 but 1995 Taxables; in the Year 1740 they amounted to 4850; and in the Year 1751 they were 7100.

For the County of *Bucks* we have only obtained an Account of the preſent Number of Taxables, which amounts to 3012, excluſive of the *Moravians* at *Bethlehem*, whoſe Numbers are unknown: But inaſmuch as there were few or no Settlements above *Durham* before 1723, and that there are now ſo many as to be formed into a new County by this Aſſembly; and the Lower Settlements are grown much thicker, not only by natural Encreaſe, but by Addition of People from *Ireland* and *Germany*, it is not doubted but that County may have encreaſed in equal Proportion with the County of *Philadelphia*.

From the Tax Books of *Cheſter* County we learn, that in the Year 1732 their Taxables amounted to 2157, in 1737 they were 2532, in 1742 they were 3007, in 1747 they were 3444, and this preſent Year, 1752, they amount to 3951; which ſhews that County to have nearly doubled itſelf in the laſt twenty Years, And though we have no Accounts of their Number in 1723, the firſt Year of Paper Money, yet it is known, that their Encreaſe was ſo great between that Time and the Year 1729, as to occaſion a Diviſion of the County, their Frontier Settlements being then erected into a new County, by the Name of *Lancaſter*.

Of the Number of Taxables in the County of *Lancaſter* we have no earlier Account than that for the Year 1738, which amounted to 2560: Since that Time *Lancaſter* County has ſo encreaſed and extended its Settlements as to bear a double Diviſion, two new Counties, *York* and *Cumberland*, being about three Years ſince taken out of it; and yet the Account of Taxables in *Lancaſter* County this preſent Year amounts to 3977, of which 311 live in the fine Town of *Lancaſter*, a Town not much more than Twenty Years old.

The County of *York* (taken, as is ſaid before, out of *Lancaſter*) had in 1749 Taxables 1466, in 1750 they were 1798, and in 1751 they amounted to 2043, which ſhews an Encreaſe of near one Third in two Years.

The County of *Cumberland* had, when ſeparated from *Lancaſter*, in 1749, but 807 Taxables; in 1751 they amounted to 1134, which is an Encreaſe yet greater than that of *York* County.

That the Trade of this Province has likewiſe greatly encreaſed ſince the firſt ſtriking of Paper Money, appears from the Cuſtom-houſe Accounts of Veſſels cleared from the Port of *Philadelphia*, which, as we have ſaid before, were, in the Year 1723, no more than 85; but in 1730 they amounted to 171; in 1735 they were 212; and from *Auguſt* 1749, to this preſent *Auguſt* 1752, being Three Years, they amount to 1210, which at a Medium is 403 *per Annum*, being near 5 now for 1 in the Year 1723.

That our Conſumption of the Manufactures of our Mother Country has proportionably encreaſed, appears from the ſame Accounts. Since in the Year 1723 we had but

two

two Ships from *London*; whereas between the 18th of *August* 1748, and this present Date, they amount to Thirty-seven, which make on an Average nine Ships *per Annum*, who have generally come full of Goods, besides many others from the Out-ports of *Britain* not reckoned. 1752. *August* 20.

This encreasing Consumption of Goods from *England* (exclusive of Linen, *&c.* from *Scotland* and *Ireland)* appears more particularly by an authentic Account from *J. Oxenford*, Inspector General of the Customs, as laid before the Parliament in 1748, where we find that the whole Exports to *Pennsylvania*.

	Sterling.
In 1723 amounted but to	£ 15,992 19 4
In 1730 they amounted to	48,592 7 5
In 1737 they were	56,690 6 7
In 1742 they were	75,295 3 4
In 1747 they were	82,404 17 7

since which we have no Account, but it is well known that within these five Years the *English* Trade is greatly augmented.

Our Domestic or Inland Trade is so connected with and dependent on our foreign Commerce, that it is difficult to distinguish, or obtain any separate Account of it: But that it must have encreased proportionably with the People, is easy to conceive; that our Indian Trade particularly is extended many hundred Miles farther Westward, to numerous, new and strange Nations, is well known; and that the Number of Waggons employed in exchanging and conveying Commodities from one Part of the Province to another, has been very greatly augmented within these few Years, is a Matter of common and general Observation.

Furnishing the Country with a Medium of Trade, and of a Kind that could not, to any Purpose, be exported, as it facilitated mutual Commerce, lessened our Taxes by the Interest it produced, and made it more easy for every one to obtain ready Pay for his Labour, Produce or Goods (a Medium so evidently wanted at the Time Paper Money was first issued) has doubtless been one great Means of the subsequent Encrease of our Trade and People, by inducing Strangers to come and settle among us. But your Committee conceive, that the Manner of issuing this Medium contributed no less to those happy Effects than the Medium itself. It was by the Laws directed to be emitted on Loan, in Sums of *Twelve Pounds Ten Shillings*, and upwards, not exceeding *One Hundred Pounds* to one Person, for a long Term, on easy Interest, and payable in yearly Quotas; which put it in the Power of many to purchase Lands, and make Plantations, (the Loan-Office enabling them to pay the Purchase so easily) and thereby to acquire Estates to themselves, and to support and bring up Families; but who, without that Assistance, would probably have continued longer in a single State, and as Labourers for others, or have quitted the Country in Search of better Fortune. This easy Means of acquiring landed Estates to themselves, has, we suppose, been one principal Encouragement to the great Removal hither, of People from *Ireland* and *Germany*, where they were only, and could scarce ever expect to be other than Tenants. And that happy Contrivance in our Money Laws, by which the yearly Quotas are, as fast as paid in, re-emitted to other Borrowers, makes the same Quantity of Currency serviceable in their Turns to a much greater Number of People; thereby lessening the Necessity and Demand for striking great additional Sums, which, if carried to Excess, might depreciate the Value of the Currency.

Yet had this easy Method of obtaining Money for the Purchase and Improvement of Lands, kept Pace, as it ought to have done, with the growing Numbers of People, your Committee conceive, that our Encrease, great as it is, would probably have been much greater: For during many Years past, through the Smallness of the Sum to be from Time to Time re-emitted, not only those admitted to borrow were obliged to be content with small Proportions, but many who could give ample Security, have been delayed and disappointed. Even at this present Time, though Applications by failing of Success have been so much discouraged, we are informed there are no less than 1000 Appliers on the List, who wait their Turn to be supplied. And within these Ten Years, a vast Multitude of our Inhabitants have, to procure Settlements, wandered away to other Places.

That it should be easy for the industrious Poor to obtain Lands, and acquire Property in a Country, may indeed be chargeable with one Inconvenience, to wit, that it keeps up the Price of Labour, and makes it more difficult for the old Settler to procure working Hands, the Labourers very soon setting up for themselves: (And accordingly we find, that though perhaps not less than 30,000 Labourers have been imported into this Province within these Twenty Years, Labour continues as dear as ever.) Yet this Inconvenience is perhaps more than balanced by the rising Value of his Lands, occasioned by Encrease of People; and to the Public in general, Numbers of substantial Inhabitants have been always reckoned an Advantage. In fine, by rendering the Means of

purchasing

1752. *Auguſt* 20. purchaſing Land eaſy to the Poor, the Dominions of the Crown are ſtrengthened and extended; the Proprietaries diſpoſe of their Wilderneſs Territory; and the *Britiſh* Nation ſecures the Benefit of its Manufactures, and encreaſes the Demand for them: For ſo long as Land can be eaſily procured for Settlements between the *Atlantic* and *Pacific* Oceans, ſo long will Labour be dear in *America*; and while Labour continues dear, we can never rival the Artificers, or interfere with the Trade of our Mother Country.

All which is humbly ſubmitted to the Houſe, by

BENJAMIN FRANKLIN, EVAN MORGAN,
RICHARD WALKER, PETER WORRALL."
GEORGE ASHBRIDGE,

Auguſt 19, 1752.

Ordered to lie on the Table.

Adjournment Then the Houſe adjourned to Three o'Clock To-morrow Afternoon.

Auguſt 21. The Bill for regulating of Fees being engroſſed, was read, and compared at the Table.

Poſt Meridiem *Ordered*, That *Benjamin Franklin* do meet ſome of the Council to ſee the ſaid Bill compared with the Amendments.

Ordered, That *Richard Walker* and *Nathaniel Grubb* do wait upon the Governor, and acquaint him, that the Houſe have agreed to his Amendments of the Bill for regulating and eſtabliſhing Fees, and engroſſed them in the ſaid Bill accordingly, and deſire that the Governor would be pleaſed to nominate a Member of the Council to meet one of this Houſe, in order to compare the ſaid Bill with the Amendments. And farther, that they requeſt the Governor would be pleaſed to appoint a Time that the Houſe ſhould wait upon him, in order to the paſſing into Laws, thoſe Bills which have now gone through the Houſe with his Concurrence.

A Petition from *John Bleakley*, the preſent Leſſee of the *Province Iſland*, was preſented to the Houſe and read, ſetting forth, that on the Twenty-fifth of *March*, 1749, the Truſtees of the ſaid Iſland agreed with the Petitioner to repair the Dam at the Houſe on ſaid Iſland, and to put the Banks in Order, for which the ſaid Petitioner was to have *One Hundred Pounds*; that they alſo agreed with him to make two Dams, one of them near the Mouth of *Minko-Creek*, the other near the Mouth of *Eagle-Creek*, in order to ſtop the Tides, and make a Thorough-fare from ſaid Iſland to *Carpenter's Iſland*: that it was imagined by the ſaid Truſtees, that *Two Hundred Pounds* were ſufficient to defray the Expences of ſuch Dams, One Half whereof was to be borne by the ſaid Truſtees, the other Half by the Petitioner; that the Petitioner accordingly undertook to make and complete the ſaid Dams, but *Minko-Creek* being, at the loweſt Ebb, nine Feet deep, and at High Water in Spring Tides, and a Freſh in *Schuylkill*, upwards of Twenty Feet deep, it was found that a Dam not leſs than Twenty-four Feet perpendicular, was ſufficient to complete the ſame; and ſeveral Perſons, who were well experienced in like Work, concluded that it could not be accompliſhed, being of ſuch great Heighth, that the large Quantities of Mud would occaſion it to ſpread too much at the Bottom; that the Petitioner then applied to the ſaid Truſtees, who often came and viewed the ſame, and were ſo kind as to give him all the Encouragement he could expect, to forward the Undertaking aforeſaid, and being ſatisfied that the ſame would be a great Burthen and Charge to him, over and above his Agreement aforeſaid, they were generouſly pleaſed to advance and pay to him the further Sum of *Eighty Pounds*, for which they took his Bond, conditioned, that in Caſe this Houſe would not allow the ſame when their Accounts were exhibited, then that he ſhould repay the ſame; that the Petitioner therefore, with humble Submiſſion, refers to the ſaid Truſtees to inform this Houſe of the great Fatigue and Expence he has been at in finiſhing the Dams aforeſaid, which are now completed, and ſtand him in near *Five Hundred Pounds*, and hopes, that as the ſaid Iſland is very much advantaged thereby, the Rent being now advanced from *Eighty* to *One Hundred* and *Twenty Pounds per Annum*, giving general Satisfaction to all concerned (there being no Creek of that Depth heretofore ſtopped in the Province) and as he has, by his Agreement aforeſaid, ſuffered great Damage and Loſs, this Houſe will, in Conſideration of the Premiſes, order his ſaid Bond to be delivered up to him and cancelled.

Ordered to lie on the Table.

Adjournment Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

Auguſt 22. The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would appoint the Secretary to meet a Member of the Houſe to compare the engroſſed Bill for regulating and eſtabliſhing Fees, at Nine o'Clock this Morning; and that he would be ready to receive the Houſe, in the Council Chamber, at Eleven o'Clock.

Reſolved, That this Houſe will, this Day, adjourn to the Thirtieth of *September* next.

Ordered, That *Evan Morgan* and *Benjamin Franklin* do acquaint the Governor with the propoſed Time of Adjournment: And likewiſe, that they ſee the Great Seal affixed to the Laws after they are paſſed, and the ſame depoſited in the Rolls Office.

Reſolved,

1752. August 22.

Resolved, That an Order be drawn on the Provincial Treasurer for the Payment of *Four Hundred Pounds* to the Honourable JAMES HAMILTON, Esq; Governor of this Province, being the Remainder of his Support for the current Year.

And the same was done accordingly, and signed by the Speaker, by Order of the House.

The Petition of *John Bleakley*, Lessee of the *Province Island*, being again read, and considered;

Ordered, That the Trustees of said Island do deliver up to the said *Bleakley* the Bond due from him to the Province.

Ordered, That the Minutes of Assembly now printing, under the Direction of this House, be continued down to the present Year inclusive; and that all the Members, who are now in the House, be entitled to one Copy each, when finished.

A Message from the Governor, by the Secretary: 'That the Governor was now ready 'to receive the House in the Council Chamber.'

Then the Speaker with the whole House waited on the Governor: And being returned, the Speaker reported, that they had waited upon the Governor with the *Bill for regulating and establishing Fees*, and the *Bill for regulating Attachments not exceeding* Five Pounds, which the Governor was pleased to enact into Laws; that the Speaker had likewise presented to the Governor the Order of the House for his Support, which he was pleased thankfully to accept.

The Gentlemen appointed to acquaint the Governor with the proposed Time of Adjournment, reported, that they had done the same according to Order, and that the Governor was pleased to say, he had no Objection thereto.

Ordered, That the Report of the Committee on Paper Currency, Trade, Numbers of People, *&c.* be referred over to the Consideration of the next succeeding Assembly.

The Gentlemen appointed to see the Great Seal affixed to the Laws, report, that the same is done, and that they are deposited in the Rolls Office.

Sundry Accounts of Services done the Public were reported on by the Committee of incidental Charges, and such Allowances made as the House judged reasonable.

The Report of the Committee of public Accounts was approved of, and allowed by the House, and follows in these Words, *viz.*

WE, *the* COMMITTEE *appointed by the Assembly of the Province of* Pennsylvania, *to audit and settle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts; to sink and destroy the Bills of Credit, received in Exchange, pursuant to the late Paper-Money Acts; and to count all the Money, and report what Sum we should actually find in the Trustees Hands*, REPORT,

Report of the Committee appointed to settle the Accounts of the General Loan Office.

THAT on the 13th of the last Month we counted the Money in the Hands of the Trustees of the Loan-Office, and found the Sum of — — — £ 5,891 11 3

THAT upon a strict Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged,

We find there are principal Sums or Quotas thereon to become due (after the 13th of the Seventh Month last) and payable to the Trustees, the Sum of — — —	£ 50,441 6 8	
That the Quotas outstanding, and then due on all the Mortgage Deeds in the said Office, amounted to — — — —	15,947 12 6	
That it appears by a List of 161 Mortgages, taken on the fifth Re-emission of the second £ 80,000 Act, there has been lent out thereon, the Sum of — — — —	10,914 15 0	
And by a List of 58 Mortgages, taken on the sixth Re-emission of the same Act, the Sum of — — —	3,745 0 0	
		£ 81,048 14 2
That several Sums lent the City of Philadelphia are not yet repaid, viz.		
The Balance of the first Sum lent the said City — —	156 0 0	
The Balance of the Sum lent the said City for building Alms-Houses, — — — —	187 10 0	
		£ 343 10 0
Makes the whole Sum, — —		£ 81,392 4 2

THAT the Trustees, on Account of Interest, are Charged with the

Balance due to the Province at the last Settlement in 1751, — —	£ 3,751 6 3¾	
And with the Interests outstanding on all the Mortgage Deeds at the last Settlement,	£ 6,688 6 7½	
From which deduct,		
For a Miscalculation of Matthew Rue's Interest on the fourth Re-emission of the first £ 80,000, —	£ 0 9 3	
And for ditto, of William Melchor's Interest on the second £ 80,000, — —	1 0 0	
Makes Interest outstanding last Year, — —	£ 1 9 3	
		£ 6,686 17 4½
To the Interest arising on all the Mortgage Deeds for the current Year, —		2,982 11 2
To the broken Interest received since last Settlement, — — —		1,122 2 7
		Dr. Carried over £ 14,542 17 5¼

1752. *August* 22.

Dr. Brought over				£	14,542 17 5¼
THAT the Truſtees have Credit for the Intereſt, which, upon a careful Examination of the Indorſements upon all the Mortgage Deeds in the Office, appears to have been outſtanding and due on the 13th of Seventh Month laſt, amounting to	£	7,159	4 3½		
By Caſh paid ſundry Orders for Aſſembly Men's Wages, the Whole		417	3 0		
Ditto paid Charles Brockden,		142	10 0		
Ditto paid the Truſtees of the Province Iſland,		200	0 0		
Ditto paid the Treaſurer of the Pennſylvania Hoſpital,		1000	0 0		
Ditto paid Samuel Kirk, for nine Cord of Hickory Wood, and Charges,		10	8 0		
Ditto paid Lynford Lardner for the Proprietaries,		130	0 0		
Ditto paid the Superintendants of the State-Houſe,		600	0 0		
Ditto paid Iſaac Norris, to ſend for a Bell,		198	0 0		
Ditto paid Ditto, towards purchaſing Books, and Window-glaſs,		170	0 0		
By one Year's Salary of the Truſtees of the Loan-Office,		500	0 0		
By Allowance for exchanging £ 2,746 18 3 at Two Pounds Fifteen Shillings per £ 1000,		7	11 0		
By the whole Sum appropriated by the ſecond £ 30,000 Act, towards building the State-Houſe, and now ordered by the Houſe to be paid out of the Intereſt Money,		2,000	0 0		
	£	12,534	16 3½		
Balance due to the Province		2,008	1 1¾		
				£	14,542 17 5¼

WE do likewiſe Report, that we have examined the Provincial Treaſurer's Account, and find,

That he Credits the Province for Balance due at the laſt Settlement in the Sixth Month, 1751,		832	16 1		
And by Caſh received of Joſeph Redman, Collector of Exciſe for the City and County of Philadelphia,		2,305	11 3		
By Ditto of John Woolſton, Collector of Bucks,		230	0 0		
By Ditto of Jeremiah Starr, Collector of Cheſter,		350	0 7		
By Ditto of Arthur Patterſon, Collector of Lancaſter,		50	0 0		
By Ditto of James Lindſay, Collector of Cumberland,		39	3 9		
By Ditto, in Part of the Balance due from Judah Foulke,		16	7 4		
				£	3,823 19 0

THAT he Charges the Province with ſundry Sums, paid in Purſuance of the Votes or Orders of the Houſe, viz.

Paid Conrad Weiſer, per Order,	£	56	2 6		
Paid Andrew Montour, per ditto,		80	0 0		
Paid John Potter, per ditto,		34	0 0		
Paid Thomas Cummings, per ditto,		3	15 0		
Paid Catherine Cox, per ditto,		3	0 0		
Paid Richard Peters, per ditto,		40	2 0		
Paid Charles Brockden, per ditto,		8	8 10		
Paid Edward Kelly, per ditto,		14	1 0		
Paid Samuel Kirk, per ditto,		9	0 0		
Paid William Franklin,		4	15 6		
Paid Tench Francis, per ditto,		100	0 0		
Paid John Smith, per ditto,		8	0 0		
Paid Charles Stow, per ditto,		3	5 0		
Paid Iſaac Norris, per ditto,		30	0 0		
Paid ditto, per ditto,		170	0 0		
Paid ditto, for an Order for 200 £ Sterl.		335	0 0		
Paid Edward Warner, per ditto,		8	0 0		
Paid Caleb Coupland, per ditto,		60	0 0		
Paid Richard Peters, per ditto,		8	14 4		
Paid Benjamin Franklin, per ditto,		121	1 0		
Paid Thomas Græme, per ditto,		1	11 6		
Paid Evan Morgan, per ditto,		3	5 0		
Paid Lawrence Growdon, per ditto,		60	0 0		
Paid William Allen, per ditto,		200	0 0		
Paid Joſeph Fox, per ditto,		5	15 0		
Paid Mahlon Kirkbride, per ditto,		0	10 0		
Paid George Croghan, per ditto,		79	6 0		
Paid Nicholas Ruſh and Chriſtopher Wideman, per ditto,		12	4 10		
Paid Dr. Charles Benſell, per ditto,		15	0 0		
Paid Richard Peters, for the Governor,		400	0 0		
Paid ditto, for ditto,		600	0 0		
Paid Charles Norris, for £ 100 Sterling Bill delivered to Iſaac Norris, to be remitted to the Agent, per Order of the Houſe,		165	0 0		
Paid Charles Norris, in Part of £ 5000 ordered to be ſunk,		500	0 0		
Paid Lynford Lardner, per Order,		12	19 6		
Paid Mary Burden, per ditto,		4	0 0		
	£	3,156	17 0		
To Commiſſions on the above, at 5 per Cent,		157	16 9		
Balance due to the Province,		509	5 3		
				£	3,823 19 0

THAT Joſeph Redman Credits the Province with the Balance due at laſt Settlement on the Liſts of Outſtandings delivered him by Judah Foulke, £ 208 0 5

That he Charges the Province with Caſh paid Michael Lightfoot, Treaſurer,	£	29	9 0		
To his Commiſſions thereon, at 5 per Cent,		1	9 3		
To a Liſt of Outſtandings delivered John Hughes, Collector of Berks,		4	19 8		
	£	35	17 11		
Balance due to the Province,		172	2 6		
				£	208 0 5

THAT

1752. August 22.

THAT we have examined the Accounts of Joseph Redman, Collector of Excise for the City and County of Philadelphia, and find,

That he Credits the Province, by Balance due at last Settlement,	£ 94 19 10		
And by the Amount of Excise from June 1, 1751, to June 1, 1752,	2,252 14 0		
By sundry Retailers, at £ 3 per Annum,	188 5 0		
By one Half of sundry Fines, as per List,	22 9 0		
		£	2,558 7 10
That he Charges the Province, to Cash paid to Michael Lightfoot, Provincial Treasurer,	2,276 2 3		
To his Commissions thereon, at 5 per Cent,	113 16 0		
To a List of Outstandings delivered John Hughes, Collector of Berks,	32 15 2		
	2,422 13 5		
Balance due to the Province,	135 14 5		
		£	2,558 7 10

THAT we have examined the Accounts of John Woolston, Collector of Excise for the County of Bucks, and find,

That he Credits the Province for Balance due at last Settlement,	£ 9 3 10		
By the Amount of Excise from June 1, 1751, to June 1, 1752,	277 14 4		
By sundry Retailers, at £ 3 per Annum,	9 15 0		
		£	296 13 2
That he Charges the Province, to Cash paid to the Provincial Treasurer,	230 0 0		
To his Commissions thereon at 10 per Cent,	23 0 0		
To a List of Outstandings delivered to Daniel Craig, Collector of Northampton,	26 10 6		
	279 10 6		
Balance due to the Province,	17 2 8		
		£	296 13 2

THAT we have examined the Accounts of Jeremiah Starr, Collector of Excise for the County of Chester, and find,

That he Credits the Province for Balance due at last Settlement,	£ 228 6 2		
By Amount of Excise from the 1st of the Fourth Month, 1751, to the 1st of the Sixth Month, 1752,	415 15 10		
By sundry Retailers at £ 3 per Annum,	12 0 0		
By one Half of sundry Fines, per List,	7 8 4		
		£	663 10 4
That he Charges the Province, to Cash paid to Michael Lightfoot, Treasurer,	350 0 7		
To his Commissions thereon at 10 per Cent,	35 0 0		
	385 0 7		
Balance due to the Province,	278 9 9		
		£	663 10 4

THAT Arthur Patterson, Collector of Excise for the County of Lancaster, hath not appeared before the Committee; nor have we received any Accounts relating to the current Year's Excise from him; but we Charge him with the Balance due at the last Settlement, £ 148 15 10

And we Credit him with Cash paid to the Provincial Treasurer,	£ 50 0 0		
And with his Commissions thereon at 10 per Cent,	5 0 0		
	55 0 0		
So that the Balance due from him to the Province, is, Besides the current Year's Excise,	93 15 10	£	148 15 10

THAT David M'Connaughy, Collector of Excise for the County of York, hath neither appeared, nor sent any Accounts to the Committee relating to the current Year's Excise; but we Charge him with the Balance due at last Settlement, £ 5 12 5½

THAT we have examined the Accounts of James Lindsay, Collector of Excise for the County of Cumberland, and find,

That he Credits the Province, by the Amount of Excise, from the Time of his having the Office, to the 1st of June, 1752,	£ 12 5 8		
By sundry Retailers at £ 3 per Annum, per List,	48 0 0		
By Cash received of James Silver, for Excise entered with Benjamin Chambers,	3 0 0		
		£	63 5 8
That he Charges the Province with Cash paid to the Provincial Treasurer,	39 3 9		
And to his Commissions thereon at 10 per Cent,	3 18 4		
	43 2 1		
Balance due to the Province,	20 3 7		
		£	63 5 8

THAT we have examined the Accounts of the Trustees of the Province Island, and have entered them in a Book provided for that Purpose, and find, that there is a Balance due to them, of 2 2 6

And there remains in their Hands a Bond due from John Bleakley to the Province, for the Sum of Eighty Pounds.

THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees, to exchange old and ragged Bills, viz.

Of the Bills struck for that Purpose by the £ 80,000 Act,	£ 2,114 7 6		
Of those struck by the £ 10,000 Act,	757 19 8		
Of the small Bills or Tickets,	4,559 7 4		
		£	7,431 14 6

And we do further Report, that we have burnt and destroyed of the abovesaid Sum (before counting the Money in the Chest)

Of the old and ragged Bills of the several Emissions struck before the £ 80,000	£ 94 9 0		
And of old and torn Bills of the £ 80,000 and £ 10,000	1,603 15 0		
And of small Bills or Tickets,	548 14 3		
Makes the whole Sum burnt,		£	2,246 18 3

Which

1752. *August* 22.

Which leaves in the Hands of the Truſtees for exchanging of torn and ragged Bills the Sum of —— —— —— —— £ 5,184 16 3

And laſtly, we Report, that in Purſuance of the Act that gave £ 5,000 to the King's Uſe, we have burnt and deſtroyed, the Sum of —— —— £ 500 0 0

Submitted to the Correction of the Houſe, the 19th of the Eighth *Month* 1752, *by*

EDWARD WARNER,
BENJAMIN FRANKLIN,
HUGH ROBERTS,
EVAN MORGAN,
JOHN SMITH,
MAHLON KIRKBRIDE."

Adjournment. Then the Houſe adjourned to the 30th of *September*.

INCIDENTAL CHARGES.

Incidental Charges.

TO the Honourable JAMES HAMILTON, Eſq; Lieutenant-Governor, his Support for the current Year,	£	1000	0 0
To *William Allen*, Eſq; Chief Judge of the Supreme Court, —		200	0 0
To *Lawrence Growdon*, Eſq; Second Judge of the Supreme Court,		60	0 0
To *Caleb Cowpland*, Eſq; Third Judge of the Supreme Court,		60	0 0
To *Richard Patridge*, Eſq; his Salary as Agent, £ 100 Sterl.		170	0 0
To Ditto, for the Uſe of the Province, £ 100 Sterling, ——		170	0 0
To *Edward Kelly*, for ſundry Expences of the *Nanticoke Indians*,		8	14 4
To *George Croghan*, for Diſburſements among the *Indians*, ——		49	6 0
To Ditto, for Expences in bringing *Samuel Saunders* to Juſtice, —		30	0 0
To the Overſeers of the Poor of *Germantown* Townſhip, for Maintenance, *&c.* of a wounded *Indian*, — — —		12	4 6
To Doctor *Charles Benſell*, for Medicines, *&c.* for the ſaid *Indian*		15	0 0
To *John Kelton*, who had a Horſe taken from him by the *Indians*,		5	0 0
To the Speaker for drawing Bills, *&c.* —— —		60	0 0
To the Members of Aſſembly, for their Attendance, at 6*ſ. per* Day, the groſs Sum, —— ——		483	17 0
To *John Smith*, for 26 Days Attendance on the Committee of Accounts, and burning Paper Money, at 6*ſ. per Diem*, — —		7	16 0
To *Benjamin Franklin*, for 22 Days Ditto, —— —		6	12 0
To *Hugh Roberts*, for 22 Days Ditto, — — —		6	12 0
To *Edward Warner*, for 26 Days Ditto, —— ——		7	16 0
To *Evan Morgan*, for 20 Days Ditto, — —		6	0 0
To *Mahlon Kirkbride*, for 4 Days Ditto, — —		1	4 0
To *Richard Peters*, Eſq; Secretary, his Salary as Clerk of Council		15	0 0
To *Charles Brockden*, Eſq; Keeper of the Rolls, his Account, —		4	17 11
To *Benjamin Franklin's* Account, —— — —		251	10 0
To *William Franklin*, as Clerk to the Houſe, — ——		14	8 0
To *Samuel Kirk*, Sergeant at Arms, his Salary, — —		8	0 0
To *Charles Stow*, Door-keeper to the Council, for 16 Days, at 2*ſ.* 6*d. per Diem*, — — —		2	0 0
To *Edward Kelly*, Door-keeper, his Attendance on the Aſſembly, 48 Days, at 4*ſ. per Diem*, — —		10	5 1
To *Mary Burden's* Account for ſundry Services done the Houſe, —		5	0 0
To *Charles Eſſek*, for Attendance on an *Indian*, and burying him,		2	9 8
To *Philip Syng*, his Account for a Silver Ink-ſtand for the Uſe of the Houſe, —— —— —— —		25	16 0
To *William Franklin's* Account, —— ——		61	18 6
To *William Evans's* Account, for drawing Liſt of Taxables, ——		0	15 0
To *Evan Morgan*, for Caſh paid Collector's Clerk for Liſt of Veſſels, *&c.*		1	14 0
To *John Hart*, for drawing out a Liſt of Taxables, — ——		0	10 0
To *Benjamin Franklin*, for Printing the Votes and Laws, ——		34	1 6
	£	2798	7 6

At

1752.
October 14.

At an ASSEMBLY held in Philadelphia, the Fourteenth Day of October, Anno Domini 1752.

BY the Returns of the Sheriffs of Six Counties, it appears that the following Gentlemen were chosen to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania* for the ensuing Year, *viz.*

For *Philadelphia* County.
Isaac Norris,
Edward Warner,
Joseph Trotter,
Evan Morgan,
Hugh Evans,
Joshua Morris,
John Smith,
Joseph Stretch.

For *Philadelphia* City.
Benjamin Franklin,
Hugh Roberts.

For *Bucks* County.
Mahlon Kirkbride,
Samuel Brown,
Richard Walker,
Griffith Owen,

For *Bucks* County.
Abraham Chapman,
William Hoge,
Joseph Hampton,
Derrick Hogeland.

For *Chester* County.
Joseph Gibbons,
Thomas Cummings,
Nathaniel Pennock,
Peter Dicks,
George Ashbridge,
Nathaniel Grubb,
William Peters,
Jacob Howell.

For *Lancaster* County.
Arthur Patterson,
Calvin Cooper,

For *Lancaster* County.
Peter Worral,
James Wright.

For *York* County.
No Return made, nor Representatives appeared.

For *Cumberland* County.
No Return made, nor Representatives appeared.

For *Berks* County.
Moses Starr.

For *Northampton* County.
James Burnsides.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Edward Warner*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joseph Gibbons*, *Arthur Patterson*, *Moses Starr* and *James Burnsides* wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

A Defect being observed in the Sheriff's Return of Burgesses, chosen for the City of *Philadelphia* (for that it was dated on the Second instead of the Third Instant) the Clerk was ordered to acquaint the Sheriff, that the House require his Attendance on *Second-day* next, in the Morning, in order to amend the same.

Then the House adjourned to next *Second-day*, at Ten o'Clock in the Morning. Adjournment

The House met pursuant to their Adjournment. *October* 16.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would send a Message to the House this Morning.

The Secretary attending, was called in, and, addressing himself to the Chair, said,

"SIR,

The Governor is now in the Council Chamber, ready to receive the House, with their Speaker."

Then the Speaker, with the whole House, waited upon the Governor; and being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor, and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had then in the Name and Behalf of the House claimed the usual Privileges, *viz.*

That the House during the Time of their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates. Privileges of the House.

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Insults during the Time of Privilege accustomed.

That it would please the Governor to take no Notice of any Report that may be made,

1752. October 16. touching any Matter or Thing that may be moved or debated in the Houſe, until the ſame ſhall have paſſed into a Reſolve, nor give the leaſt Credit to ſuch Report. And laſtly,

That his own (the Speaker's) unwilling Miſtakes may be excuſed, and not imputed to the Houſe.

All which he had requeſted as the juſt Rights and Privileges of the Freemen of *Pennſylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleaſed to ſay, they were Privileges the Houſe had an indubitable Right to, and that he ſhould never attempt to infringe them.

Then the Qualifications by Law appointed were taken and ſubſcribed firſt by the Speaker in the Chair, and then at the Table by all the reſt of the Members preſent, in their Order.

The Sheriff of *Philadelphia* attending, was called in, and being informed by the Speaker of the Defect in his Return, he amended the ſame at the Table, and then withdrew.

Reſolved, That *William Franklin* be Clerk of this Houſe for the enſuing Year.

And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Sergeant at Arms to this Houſe for the Year enſuing.

Reſolved, That *Edward Kelly* be Door-keeper to this Houſe for the enſuing Year.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor, by his Secretary, ſent down ſundry Letters relating to *Indian* Affairs, with a verbal Meſſage, as follows, *viz.*

'SIR,

A Meſſage on Indian Affairs. 'THE Governor lays before the Houſe a Letter received the Middle of the laſt 'Month, by Expreſs from *Robert Calendar*, *Indian* Trader, then in *Carliſle*, 'wherein he mentions, that *Thomas Burney*, *Indian* Trader, was juſt come from *Allegheny*, 'and brought an Account, that 240 *Indians*, headed by two *Frenchmen*, had, in an hoſtile 'Manner, attacked a Village of the *Twightwees*, and killed 14 *Indians* and one white 'Man, and carried away five other white Men Priſoners; that ſaid *Burney* being in the '*Twightwee* Country at the Time of the Attack, ſaw one of their Chiefs, who deſired 'him to take a Meſſage to the Governor of *Pennſylvania*; which, with a Scalp and five 'Strings of Wampum delivered with it, were incloſed in the Letter. That the Go-'vernor, by the Return of the Expreſs, ordered *Thomas Burney* to come immediately 'to him, in order to be examined concerning this Matter; but as he is not come, nor 'has the Governor any Tidings of him, the Whole reſts on Mr. *Calendar's* Letter."

A Petition from *Tench Francis*, Eſq; his Majeſty's Attorney-General of this Province, was preſented to the Houſe and read, ſetting forth, that the Buſineſs of his Office has, for ſome Years paſt, greatly encreaſed, by large Importations of People from ſeveral Parts of *Europe*, and the unuſual Reſort of fugitive Servants, Convicts, and other wicked Perſons hither from ſome of the neighbouring Plantations; that the legal Fees due from the Accuſed, a fourth Part of which, through the Poverty of Criminals, hath never been paid to the Petitioner, are not, upon the Whole, a Compenſation for the great Trouble and Expence in carrying on and attending public Proſecutions; that on theſe Conſiderations, this Houſe hath generally given the Attorney-General an annual Salary; that the Petitioner hopes he hath always performed his Duty with ſuch Integrity and Regard to Juſtice, as not to merit the Cenſure of this Houſe, by denying him what hath conſtantly been allowed to his Predeceſſors: Therefore he prays this Houſe to allow him for his laſt Year's Services, what they ſhall think reaſonable.

Ordered to lie on the Table.

A Return of the Sheriff of the County of *Cumberland* was brought to the Houſe, by which it appeared that *Joſeph Armſtrong* and *John Armſtrong* were choſen Repreſentatives to ſerve in Aſſembly for the ſaid County.

Nathaniel Pennock and *John Armſtrong* appearing in the Houſe, took and ſubſcribed the uſual Qualification by Law appointed to be taken by Members of Aſſembly.

The Houſe being informed, that one *John Pattin*, formerly an *Indian* Trader of this Province, is lately arrived from *England*, and now in Town, who had been taken by the *French*, and carried to *Canada*, and from thence ſent to *Old France*; the Clerk was ordered to acquaint the ſaid *Pattin*, that the Houſe require his Attendance To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 17. *Nathaniel Grubb*, returned a Repreſentative for *Cheſter* County, appearing in the Houſe, took and ſubſcribed the uſual Qualification by Law appointed to be taken by Members of Aſſembly.

The Speaker laid before the Houſe a Letter from the Honourable THOMAS PENN, Eſq; one of the Proprietaries of this Province, relating to the Act *for impoſing a Duty on Perſons*

Persons convicted of heinous Crimes, which was read, and ordered to lie on the Table for the Perusal of the Members. 1752. October 16.

Sundry Letters from the Agent and his Assistant were laid before the House and read, and *Ordered to lie on the Table.*

Resolved, That *Richard Patridge* be Agent of this Province, at the Court of *Great-Britain*, for the ensuing Year.

Resolved, That *Fifty Pounds Sterling* be allowed *Robert Charles*, as an Assistant to the Agent for the ensuing Year.

Ordered, That *Benjamin Franklin* and *Hugh Roberts* be, with the Speaker, a Committee of Correspondence.

Ordered, That *Joseph Trotter*, *Benjamin Franklin*, *George Ashbridge* and *Peter Worral* be a Committee of Grievances for the ensuing Year; and they have Power to send for Persons, Papers and Records.

Ordered, That *Edward Warner*, *Evan Morgan*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *Thomas Cummings* and *Peter Worral* be a Committee to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper-money Acts, and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have Power to send for Persons, Papers and Records.

Resolved, That *Michael Lightfoot* be Treasurer of this Province for the Year ensuing.

Ordered, That *John Smith* and *Benjamin Franklin* be a Committee to revise the Minutes before they are printed.

A Petition from *John Pattin* of this Province, *Indian* Trader, was presented to the House and read, setting forth, that the Petitioner being trading with the *Miamis Indians*, Allies of this Province, was on the Twentieth Day of *November*, 1750, taken Prisoner by the *French*, and all his Goods seized, to the Value of *Eight* or *Nine Hundred Pounds*; that he was carried to Fort *Detroit*, and there confined for five Months; from thence he was carried Prisoner over the Lake *Erie* to *Niagara*; thence to *Cadaracqui*; thence to *Montreal*; thence to *Quebec*, where he was again thrown into Prison, and very hardly used; thence, though in a very ill State of Health, he was hurried on Shipboard, and carried to *Rochelle*, in *Old France*, where he was again thrown into Goal, and kept close confined three Months, suffering very great Hardships; that having at length found some Friends, he obtained his Liberty, and went to *Paris* to solicit the Restitution of his Goods: But after three Months Attendance in vain, he could obtain nothing; and was told, his Goods were confiscated, he being, as they pretended, found trading within the Limits of their Country. On which he returned to this his native Country, but is totally ruined by the said Proceedings of the *French*, which if they continue, our *Indian* Trade must at length be quite discouraged and lost to this Province: Therefore the Petitioner prays this House would take the Premises, with his unhappy Case, into Consideration, and afford him such Relief as to their Wisdom shall seem meet.

Ordered to lie on the Table.

Resolved, That this House will this Day adjourn to the fifteenth Day of the Month called *January* next.

The Letters relating to *Indian* Affairs, which were Yesterday laid before the House by the Governor, were again read, and considered.

Ordered, That *Mahlon Kirkbride* and *George Ashbridge* do wait upon the Governor, and acquaint him, that the House have considered the said Letters, but think proper to defer the further Consideration thereof, till the Governor has had an Opportunity of examining *Thomas Burney*; and further, that they acquaint the Governor with the proposed Time of Adjournment.

Ordered, That *John Smith*, *Joseph Stretch*, *Benjamin Franklin* and *Hugh Roberts* be a Committee to inspect the Laws of this Province, and report which of them are expired, or near expiring, and ought to be re-enacted; with their Opinion what Amendments to them or others may be necessary.

John Pattin giving his Attendance, according to the Order of the House, was called in, and having answered such Questions as were put to him by the House, he withdrew.

Resolved, That the Sum of *Thirty Pounds* be allowed to the said *Pattin*, towards relieving him in his present Distress.

Ordered, That the Clerk do take down in Writing, the Account which the said *Pattin* gives of the Manner of his having been taken, and of the Places in *Canada*, through which he passed during his Captivity, *&c.* and bring it to the House at their next Meeting.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had waited upon the Governor, and delivered the same according to Order, and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

The

1752. The Petition of *Tench Francis*, Eſq; Attorney-General of this Province, was again read, and conſidered, and *Ordered to lie on the Table.*

October 17. Adjournment Then the Houſe adjourned to the fifteenth Day of the Month called *January* next.

1753. *January* 15. THE Houſe met purſuant to their Adjournment.

A Return of the Sheriff of the County of *York* was brought to the Houſe, by which it appeared that *John Wright* and *David M'Conaughy* were choſen Repreſentatives to ſerve in Aſſembly for the ſaid County.

The Sheriff having neglected to deliver a Liſt of the Names of the *Bucks* County Electors, with their Places of Abode, as the Law directs, it was now brought to the Houſe, and ordered to remain upon the Files with the Returns of Members elected for the ſaid County.

Ordered, That *Evan Morgan* and *Hugh Roberts* wait upon the Governor, and acquaint him, that the Houſe is met, according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 16. The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he had nothing at preſent to lay before the Houſe; but if any Thing proper for their Conſideration ſhould occur to him during their Sitting, he would communicate it by Meſſage.

Joſeph Armſtrong and *David M'Conaughy*, appearing in the Houſe, took and ſubſcribed the uſual Qualification by Law appointed to be taken by the Members of Aſſembly.

The Clerk brought to the Houſe the Account which *John Pattin* gave of the ſeveral Places in *Canada*, through which he paſſed, when taken by the *French*, together with a Map of that Country drawn by the ſaid *Pattin*.

A Petition from divers Inhabitants of the County of *Cheſter*, was preſented to the Houſe and read, ſetting forth, that there are a great Number of Perſons in that County, who, under the Name of Store-keepers, retail Rum and other ſpirituous Liquors, and not being under the Reſtriction of Perſons licenſed to keep Public Houſes, are very injurious to the Inhabitants, by inducing many, whoſe Circumſtances can no ways afford it, to ſpend at thoſe Places the chief Part of what they get, to the great Hurt of their Families, and the Loſs of thoſe who have truſted them for real Neceſſaries of Life; that many Perſons by embracing the frequent Opportunities they have of purchaſing ſpirituous Liquors, are rendered unfit for Labour, which is a Loſs to the Country, where Labourers are much wanted: Therefore praying this Houſe would reſtrict the ſaid Store-keepers from ſelling Rum, unleſs annually recommended to the Governor for a Licenſe.

Ordered to lie on the Table.

A Petition from *John Beſſonet* and *Peter White*, of the County of *Bucks*, was preſented to the Houſe and read, ſetting forth, that the Petitioners labour under great Difficulties, as Sureties for *John Hall*, late Collector of the Exciſe for the County of *Bucks*; that in the Act for laying a Duty on ſpirituous Liquors, there is a Clauſe, by which the ſeveral Collectors of the ſaid Exciſe are obliged to pay unto the Provincial Treaſurer once in Three Months, or oftener, if required, ſuch Sums of Money as they ſhall receive by Virtue of the ſaid Act; that in another Clauſe of the ſaid Act, there is a Proviſion made, by which the ſaid Provincial Treaſurer is impowered, in an eaſy Manner, to recover any Sum or Sums of Money which any of the ſaid Collectors may neglect or refuſe to collect and pay unto the ſaid Provincial Treaſurer within the ſaid limited Time; that upon the Strength of the abovementioned two Clauſes, the Petitioners became bound, with the aforeſaid *John Hall*, as Sureties for his faithful performing the Duties of his ſaid Office, well knowing, that if the ſame were ſtrictly obſerved, the Petitioners could not be any great Sufferers; that the Treaſurer's neglecting to pay a due Regard to the ſaid Clauſes, the Petitioners conceive to be the Reaſon why ſo large a Sum of Money ſtill lies unaccounted for by the ſaid *John Hall*; that there was ſuch a Neglect the Petitioners preſume will not be denied, as the Method by Law preſcribed for recovering the ſaid Money from the ſaid Collector has never yet been purſued, nor was a Demand therefore made on the Petitioners, either directly or indirectly, until more than ſix Months after he was removed from his ſaid Office, and upwards of eighteen Months from that Time, before any Action was commenced againſt them; that the ſaid *John Hall*, at the Time of his being deprived of his ſaid Office, and for a conſiderable Time after, had Effects ſufficient to diſcharge his ſaid Debt, had the proper Steps, as by Law directed for the Recovery of ſuch Monies, been taken; that the ſaid *John Hall* being for a long Time deprived of his Senſes, the Petitioners had it not in their Power to do any Thing for their Security, till they had firſt ſuffered Damages, and now ſince the Commencement of the Action againſt them, they are entirely deſtitute of that Opportunity, as the ſaid *John Hall* has for ſome Time paſt been inſolvent; that, as a Number of uncommon Circumſtances which could not be avoided by the Petitioners, have united to make them liable;

they

they therefore pray this House would, with their usual Clemency, grant them such Relief as the Nature of their Case will admit. *Ordered to lie on the Table.* 1753. *January* 16.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Ordered, That the Clerk do make out a List of all such Matters as were referred to the Consideration of this Assembly by the last, and lay it before the House To-morrow Morning.

The Speaker and *Benjamin Franklin* are requested to procure such Books and Maps as they may think suitable and necessary for the Use of this House; and it is

Ordered, That the Trustees of the Loan-Office do supply them with such Sums of Money as they may require for that Purpose; which shall be allowed by the Committee of Accounts, in their next Settlement with the said Trustees.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Agreeable to the Order of Yesterday, the Clerk laid before the House a List of the several Matters referred to the Consideration of this Assembly by the last. *January* 17.

The Report of the Committee on Paper Currency, Trade, Numbers of People, *&c.* referred to the Consideration of this Assembly by the last, was read, and considered, and after some Time spent thereon,

Resolved, That this House will To-morrow Morning resolve itself into a Committee of the whole House upon the said Report.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House met, and adjourned to Ten o'Clock To-morrow Morning. *Post Meridiem* Adjournment

James Wright and *John Wright*, appearing in the House, took and subscribed the usual Qualification by Law appointed to be taken by Members of Assembly. *January* 18.

The Resolve of Yesterday being read, the House resolved itself into a Committee of the whole House, upon the Report of the Committee on Paper Currency, Trade, Numbers of People, *&c.* and after a considerable Time spent therein, the Speaker resumed the Chair, and *Hugh Evans*, Chairman, reported from the Committee, that they had come to sundry Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the said Resolutions be now received.

Whereupon *Hugh Evans* accordingly read the said Resolves of the Committee in his Place, and afterwards delivered them in at the Table, where they were again read, and are as followeth, *viz.*

Resolved, N. C. D. That it is the Opinion of this Committee, that it is necessary that the Paper-Money of this Province should be re-emitted for a further Time.

Resolved, N. C. D. That it is the Opinion of this Committee, that there should be a Sum struck, to exchange the ragged and torn Bills, now by Law current within this Province.

Resolved, N. C. D. That it is the Opinion of this Committee, that there is a Necessity of a farther Addition to the Paper-Money, at present current by Law within this Province.

The Consideration of the above Resolutions of the whole House was referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Resolutions of the Committee of the whole House being again read, and considered, were unanimously agreed to by the House. *Post Meridiem*

Ordered, That *Edward Warner*, *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joseph Gibbons*, *James Wright*, *John Wright*, *John Armstrong*, *Moses Starr* and *James Burnside* be a Committee to prepare and bring in a Bill, agreeable to the Resolves of the said Committee.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Bill for striking the Sum of *Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was brought to the House by the Committee appointed for that Purpose, and read the first time, and ordered a second Reading. *January* 19.

The Petition from sundry Inhabitants of *Chester* County, against the retailing of Rum by Storekeepers, *&c.* was again read, and after some Time spent in Consideration thereof,

Ordered to lie on the Table.

A Petition (together with several Certificates, and a List of Expences relating to the same) from *Richard Richardson*, *Thomas Jervis* and *John Hembright*, of this Province, was presented to the House and read, setting forth, that on the first Day of *August* last, a very barbarous and horrid Murder was committed upon the Bodies of *John Thomas* and *Eleanor Davis*, of *Chester* County, by three Men, who were Strangers, and at that Time unknown to any Person within this Province; that it appears by a Deposition of *Richard Richardson* (one of the Petitioners) taken before one of the Magistrates of the City of *Philadelphia*, that the said *Richardson*, had just before the Perpetration of said Murder, stopped and examined three Persons, who informed him, that they came from *Kent*

1753. *January* 19. County, in *Maryland*, and produced certain Writings, certifying them to be Freemen of that Province; that from many concurring Circumſtances there was great Reaſon to believe, that thoſe Perſons had committed the ſaid Murder; and upon the Information and further Deſcription given of them by the ſaid *Richardſon*, the Governor thought proper to iſſue his Proclamation, for having them apprehended, and was pleaſed particularly to direct and appoint the Petitioners for that Service; that accordingly on the Seventeenth Day of ſaid *Auguſt*, the Petitioners ſet out, and travelled through ſeveral of the Counties of *Pennſylvania*, *Maryland* and *Virginia*, in Purſuit of ſaid Murderers, until the Seventeenth of *September* following, when not meeting with Succeſs, they returned, after having in every Place through which they paſſed fully deſcribed them, and apprized the Country; that, after their Return, Information being given them by one Juſtice *Wilmore*, of *Maryland*, that he had Reaſon to think that the ſaid Murderers were then ſkulking about the City of *Philadelphia*, they went and acquainted the Chief Juſtice therewith, who granted them a Search Warrant, upon which they made ſtrict Enquiry in and about the ſaid City, for two Days and an Half, and at laſt found that the Perſons ſuſpected were no-ways concerned; that ſoon after, one of the ſaid Murderers was apprehended by one *Patrick Kearns*, of *Maryland*, and committed to *Cheſter* County Goal, and upon the Diſcoveries made thereby, *Thomas Jervis* went into *Maryland*, in Queſt of the other two; in the mean Time *Dillon*, another of the ſaid Murderers, was taken up and committed to *Philadelphia* Goal, and it appearing by his Confeſſion, that there were ſundry Perſons in *Maryland* privy to the ſaid Murder, the ſaid *Jervis*, on his Return, did, at the Requeſt of the Chief Juſtice, Secretary and Attorney-General go again into *Maryland*, in order to have thoſe Perſons apprehended, and he accordingly did apprehend *Patrick Kearns* and Wife, *Philip M'Dermot* and Wife, *James Braddy*, *Hugh M'Guire* and *James Neily*, and cauſed them to be examined before one of the Provincial Judges of *Maryland*, who committed *Kearns*, *M'Dermot* and Wife, to Goal, as Acceſſaries to the ſaid Murder; that the ſaid *Kearns* being, in all Probability, concerned as an Acceſſary in the aforeſaid horrid Murder, the Petitioners conceive he ought not to be entitled to any Part of the Reward offered by this Houſe for apprehending of the ſaid Murderers, and as the Petitioners have been at great Expence and Trouble in purſuing and endeavouring to bring the aforeſaid Murderers to Juſtice, and as it was likewiſe, in a great Meaſure, owing to the Evidence given by *Richard Richardſon*, at their Trial, that one of them was at laſt convicted; they therefore humbly pray that this Houſe would, in their great Goodneſs and Juſtice, cauſe the Reward that would have been due to *Kearns*, had he not been a Party concerned, to be paid to them, or otherwiſe make them ſome Allowance for their great Expences, Loſs of Time, and Trouble, as to the Wiſdom of this Houſe ſhall ſeem moſt meet.

Ordered to lie on the Table.

The Liſts of the Names of the Electors of the County of *Berks* were now brought to the Houſe; the Sheriff having neglected the ſame at the Time he made his Return.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 20. The Title of the Bill for ſtriking the Sum of to be made current, and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was read, and after mature Deliberation thereupon, it was unanimouſly agreed by the Houſe, that the Sum of *Twenty Thouſand Pounds* ſhould be inſerted therein, and that the Bill be referred to further Conſideration.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock in the Afternoon.

January 22. The Houſe met purſuant to their Adjournment.

Poſt Meridiem. The Houſe reſumed the Conſideration of the Bill for ſtriking the Sum of *Twenty Thouſand Pounds*, to be made current, and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and after ſome Time ſpent therein, it was referred for farther Conſideration till To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 23. Four Petitions from a conſiderable Number of the Inhabitants of the County of *Northampton* (together with a Certificate of two of the Aſſeſſors of ſaid County, relating thereto) were preſented to the Houſe and read, ſetting forth, that the Petitioners are under Apprehenſions that great Inconveniencies may accrue to the Inhabitants of that County, by reaſon of one Perſon holding at the ſame Time ſeveral Offices of Truſt, which interfere with one another; that the preſent Sheriff of the ſaid County has lately been appointed Clerk to the Commiſſioners, and Treaſurer of the County; which Offices, were they veſted in ſeveral Perſons, would, as the Petitioners conceive, be likely to be better diſcharged, as they would probably be a Check upon each other; that by the preſent Manner of ſummoning Juries, the Sheriff has it very much in his Power, ſhould he be ſo inclined, to ſummon ſuch a Jury as he thinks moſt likely to favour him in the Settlement of ſuch of the Public Accounts, wherein he is, or may be concerned; that the ſaid Sheriff likewiſe, under Colour of a Commiſſion of the Peace, iſſued before he was choſen Sheriff, continues to act as a Juſtice of the Peace for that County, and not

not contented to act in that Station at Home, he has of late gone from one Tavern to another, throughout a great Part of the said County, issuing his Precepts to bring Persons before him, and there hearing and determining Actions for small Debts, and giving public Notice, from Time to Time, at what Tavern he will next attend, whereby great Numbers of People, some of them very disorderly, are drawn together, and being many of them heated and intoxicated with Liquor, have been induced to put their Neighbours to Trouble and Expence for very trivial Matters, which, it is highly probable, they would not have done, if they had not been disordered with strong Drink, almost ever the Consequence of such Meetings: Therefore the Petitioners humbly pray this House would take the Premises into Consideration, and grant them such Relief as their Case seems to require. *Ordered to lie on the Table.* 1753. *January* 23.

The House resumed the Consideration of the Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, and after a considerable Debate thereon,

Resolved, That the Borrowers on former Paper-Money Acts be in the present Bill allowed to renew their Mortgages.

Resolved, That the Time of such Renewal be limited to one Year.

And the further Consideration of the said Bill was referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House again resumed the Consideration of the Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and after some Debate thereon, *Post Meridiem.*

Resolved, That the Sum for which Borrowers on former Emissions shall be allowed to renew their Mortgages, do not exceed *One Hundred Pounds*.

Resolved, That the Renewals of such Mortgages be at the Charge of the Province.

Ordered, That Candles be brought in.

And they were brought in accordingly.

And after some further Debate,

Ordered, That the aforesaid Bill be re-committed to the Committee who brought it in, to be made agreeable to the Resolves of the House thereupon.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee to whom the Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province was committed, reported, that they had amended the said Bill, pursuant to the Order of the House. *January* 24.

And the said Bill being read, with the Amendments of the Committee, was ordered to be transcribed for a third Reading.

The Petitions from sundry Inhabitants of *Northampton* County, together with the Certificate of two of the Assessors of said County relating thereto, being again read;

Ordered, That *James Burnsides* do wait upon the Governor, with a Copy of said Petition and Certificate, and acquaint him, that the House desires he would be pleased to take that Part of the said Petition into his Consideration, which relates to the Conduct of the Sheriff of said County, as a Justice of the Peace.

Ordered, That the other Parts of the said Petition, be referred to the Consideration of the Committee of Grievances; who are to enquire into the Facts therein set forth, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Bill for striking the Sum of *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being transcribed, was read the third Time; *Post Meridiem*

Resolved, That the Bill do pass.

Ordered, That *Edward Warner* and *Benjamin Franklin* do wait upon the Governor with the said Bill, and desire his Concurrence.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, reported, that they had delivered the same according to Order; and that the Governor was pleased to say, he would give it all the Dispatch in his Power. *January* 25.

The House taking into Consideration the Accounts of the late Superintendant of the State-house, as they stand on the Minutes of this House;

Resolved, That the present Superintendants of the State-house do allow in their Settlement with the Executors of the late Superintendant, *Five per Cent* on the Sum of £ 1030 6 8, laid out by him on the said House and Wall, inclosing the same.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The

1753. *January 25. Poſt Meridiem*

The Petition of *John Beſſonet* and *Peter White* was again read, and conſidered.

Ordered, That the Clerk do make out a Copy of the ſaid Petition, and ſerve the Treaſurer therewith, and acquaint him, that the Houſe require his Attendance on *Third-day* next, when he may offer what he has to ſay in Anſwer thereto.

Ordered, That there be likewiſe Notice ſent to the ſaid Petitioners, to attend this Houſe at the ſame Time.

And *Samuel Brown*, one of the Repreſentatives for the County of *Bucks*, undertook to give them Notice accordingly.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 26.

Ordered, That *George Aſhbridge* and *John Armſtrong* wait upon the Governor, and acquaint him, that the Houſe deſires to know if he has come to any Reſult on the Bill now before him; and if not, that then they inform the Governor, the Houſe inclines to adjourn to *Second-day* next in the Afternoon.

A Petition from *James Read*, Eſq; Prothonotary of the County of *Berks*, was preſented to the Houſe and read, ſetting forth, that the Petitioner was Clerk of the Crown of this Province, from *September* 1745, to *May* 1752; that in the ſaid Office many Services are done which employ great Part of the Officer's Time, namely, in giving due Attendance upon the Honourable the Juſtices of Oyer and Terminer and General Goal Delivery, to take the Examinations of Accuſers, Criminals, *&c.* which ſometimes takes up a Week or more, and in the Diſcharge of his public Duty in ſaid Court; that the Petitioner humbly conceives *(for ſundry Reaſons ſet forth at large in his ſaid Petition)* that he ought to apply to this Houſe for a Satisfaction for his ſaid Trouble, rather than to the reſpective Counties of this Province; that therefore the Petitioner has preſumed to exhibit to this Houſe ſundry Bills of Coſts in Cauſes, where, through the penurious Circumſtances of the Criminals and others charged with capital Offences during his ſaid Clerkſhip, he has not been able to obtain his juſt Fees, which he humbly prays this Houſe would cauſe to be paid to him, and make him ſuch farther Allowance for his extraordinary Trouble and Service in the ſaid Office, as they ſhall think juſt and equitable.

Ordered to lie on the Table.

The Bills of Coſts referred to in the above Petition were alſo read, and

Ordered to lie on the Table.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that the Houſe might expect a Meſſage from him this Afternoon.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, ſent down the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE many Advantages we derive from the Uſe of Paper-Money, ought to make us extreamly careful to avoid every Step that may poſſibly endanger it.

'I am well aſſured the Diſlike raiſed in *Britain* of the Bills of Credit in the Plantations, by the late too general and undiſtinguiſhing Complaints, ſtill ſo warmly ſubſiſts, as to make any Application to the Crown about our Currency at this Time very unſeaſonable.

'With a View, therefore, that no Share of your Time may be ſpent unprofitably, I think myſelf obliged to declare to you thus early (though with a good deal of Concern for our Difference in Opinion) that I cannot at preſent give my Aſſent to any Bill for re-emitting the current Money of the Province, or for iſſuing any additional Sum.

January 26, 1753. *JAMES HAMILTON.*"

The Secretary acquainted the Houſe, that the Governor had taken that Part of the Petition from *Northampton* County, which the Houſe had referred to him, into Conſideration, and had given proper Orders for remedying the Inconvenience complained of.

Adjournment

Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

January 27.

Reſolved, That this Houſe will this Day adjourn to the Twenty-firſt Day of the Month called *May* next.

The Houſe took into Conſideration the Governor's Meſſage of Yeſterday, and after ſome Time ſpent therein,

Reſolved, That a Meſſage be now prepared, in Anſwer to the ſame; which being accordingly done, it was read, and agreed to by the Houſe, and ordered to be tranſcribed.

The

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.* 1752. *January* 27.

May it please the GOVERNOR,

A Message from the Assembly to the Governor.

WE are well pleased to find by the Governor's Message of Yesterday, that he concurs with us in that important Point, a Sense of the many Advantages we derive from the Use of our Paper Money: We would therefore be equally careful with the Governor to avoid every Step that may possibly endanger it. But as we do not think that the Dislike, raised in *Britain*, of the Bills of Credit in the Plantations, was so general and undistinguishing, or still so warmly subsists, as the Governor seems to apprehend; so we do not conceive that an Application to the Crown about our Currency would, at this Time, be unseasonable.

We are equally concerned with the Governor for our Difference in Opinion; and that, in an Affair of such Importance, we may not seem to act too precipitately, we are willing to take the Governor's Objection into Consideration till our next Meeting, and propose to make a short Adjournment for this Purpose."

And the said Message being signed by the Speaker, by Order of the House;

Ordered, That *Peter Worral* and *David M'Conaughy*, wait upon the Governor, and deliver the same; and further, that they acquaint the Governor, that the House are inclined to adjourn to the Twenty-first Day of the Month called *May*, if he hath no Objection to that Time.

Ordered, That *Edward Warner*, *Evan Morgan*, *Joseph Stretch* and *Hugh Roberts* be added to the Committee of Grievances for the present Year.

Ordered, That the Provincial Treasurer, and the Sureties of *John Hall*, late Collector of *Bucks* County, who were ordered to attend this House on *Third-day* next, be acquainted, that the House require their Attendance at the next Meeting of Assembly.

Ordered, That the Message from the Governor to the Assembly, and the Assembly's Answer thereto, be printed in the next Gazette.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order; and that the Governor was pleased to say, he had no Objection to the proposed Time of Adjournment.

Then the House adjourned to the Twenty-first Day of the Month called *May*. Adjournment

THE House met pursuant to their Adjournment. *May* 21. *Post Meridiem*

Ordered, That *Edward Warner* and *Evan Morgan* wait upon the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order; and that the Governor was pleased to say, he should send a Message to the House some Time To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, sent down a written Message to the House, together with sundry Papers relating to *Indian* Affairs, referred to therein, which were read; and the Message is as follows, *viz.* *May* 22.

GENTLEMEN,

A Message from the Governor to the Assembly.

'BY the Intelligence contained in the several Papers now laid before you, it may be 'expected, that the Country of *Allegheny*, situate on the Waters of the *Ohio*, partly 'within the Limits of this Province, and partly within those of *Virginia*, already is, or 'will be in a very little Time, invaded by an Army of *French* and *Indians*, raised for 'this Purpose by the Governor of *Canada*.—And that the *Indians* inhabiting there, who 'are of the *Six Nations*, with a Mixture of *Shawanese* and *Delawares*, Friends and Al'lies of *Great-Britain*, will be obliged to retire and leave their Country for Want of 'Means to defend it against this armed Force; as will also the *Twightwees*, lately re'commended to our Alliance by the *Six Nations*.—And that his Majesty's Subjects of 'this and the neighbouring Colonies, now carrying on a just and lawful Trade with 'these *Indians*, will be cut off, or made Prisoners, and their Effects seized and plun'dered, unless the Messengers dispatched by me to *Ohio*, immediately on receiving the 'Advices from the Governor of *New-York*, shall have arrived time enough to give our 'Traders and *Indian* Allies an Opportunity of taking Measures for their own Security.

'The Advices communicated to me by Governor *Clinton*, are further confirmed by 'Mr. *Andrew Montour*, who happening lately to be at *Onondago*, on Business of the 'Government of *Virginia*, with the *Six Nations*, heard the Message of the Governor of 'Canada, avowing these hostile Proceedings, delivered to the Council there by seven 'French Indians; together with the Council's Answer, asserting their Independency,

1753. May 22.

'and the Property of the Soil, and forbidding the *French* from ſettling their Lands at 'Ohio, or diſturbing the *Engliſh* Traders: But your own Judgment will ſuggeſt what 'ſuch Prohibition can amount to from a People who are not at preſent in a Condition 'to defend themſelves, and who, beſides, are ſtarving for Want of the Neceſſaries of 'Life.

'Under theſe Difficulties what can they do, unleſs his Majeſty's Governors, to 'whom they will undoubtedly make very earneſt Applications, ſhall afford them Aſ-'ſiſtance? And if this be not now given them ſuitable to their Neceſſities, can it be 'thought that they will any longer adhere to their Alliances, or heſitate to put them-'ſelves and their Allies under the Protection of *France*, who they ſee in a Condition to 'protect them?

'Think, Gentlemen, I beſeech you, of the Conſequences of having Forts built, and '*Indian* Nations ſettled by the *French*, within and near the Limits of this Province, and 'within a ſmall Diſtance from the inhabited Part of it. Are the People, ſettled on 'our *Weſt* Frontiers, like to live in Peace and Quietneſs, or to be able to preſerve their 'Poſſeſſions? Or will they not deſert them and the Fruits of their Labour, and ſeek 'for Habitations elſewhere, rather than ſee themſelves continually expoſed to the In-'roads and Depredations of Enemy *Indians?* But there is no Need for me to enlarge on 'this diſagreeable Subject, or to ſet forth the ſad Effects that muſt unavoidably ariſe 'from the Neighbourhood of *French* Forts and Settlements; ſince theſe will naturally 'offer themſelves to the Mind of every One, I therefore earneſtly entreat you to take 'this Matter into your ſerious Conſideration: And as there is great Reaſon to expect 'that Applications will be made to me, as well on the Part of the *Six Nations* at *Onon-'dago* as by thoſe who reſide to the Weſtward, and are like to be more immediately af-'fected by theſe Proceedings, I requeſt you would, in your preſent Seſſions, enable me 'to give them Aſſiſtance anſwerable to their Exigencies; ſenſible as you muſt be, that 'it is the indiſpenſible Duty of every Government to protect and take Care of all its 'Inhabitants, whether they be his Majeſty's natural born Subjects, or Natives of *America*, 'in Amity with the Crown of *Great-Britain*, or their Friends and Allies.

May 22, 1753. *JAMES HAMILTON.*"

A Petition from a conſiderable Number of the Inhabitants of the County of *Lanca-ſter* was preſented to the Houſe and read, ſetting forth, that divers of the Petitioners have, from Time to Time, informed their Repreſentatives, that they were greatly ſtrai-tened for Want of a ſufficient Currency to carry on their neceſſary Affairs; that their Difficulties daily increaſing, they now beg Leave to lay a Part of them before this Houſe, which are as follows: That, though Numbers of the Petitioners have Effects ſufficient to anſwer all their Occaſions, yet by Reaſon of the extreme Scarcity of Money, they can neither get in their Debts, nor convert their Effects into Caſh, even though they were willing to diſpoſe of them greatly under Value; that the Truth of this may be demon-ſtrated from the great and unuſual Increaſe of Actions in the Courts, which many can no otherways avoid or anſwer, than by giving up the Whole of their Subſtance to their Creditors, or ſubmitting to a Goal; for thoſe who would part with their Lands to pay their Debts, find the Price of ſaid Lands very conſiderably fallen, by Reaſon of the great Scarcity of Money throughout the Country; that they apprehend, that unleſs there is a further Supply of Paper Bills of Credit granted, thoſe, and many more Evils not men-tioned, muſt daily increaſe, and finally end in the Ruin of the Province; therefore pray-ing this Houſe would do whatever in them lies to redreſs the Grievances complained of.

Ordered to lie on the Table.

A Petition from *George Henry*, *John Evans*, *James Devoy* and *Owen Nicholſon* was preſented to the Houſe and read, ſetting forth, that they are in a poor and diſtreſſed Condition, by Reaſon of their having been taken Priſoners by a Number of *French In-dians*, with a *Frenchman* at their Head, who carried them to *Quebeck*, and from thence ſent them to *Rochelle*, in *Old France*, where they were releaſed by the *Engliſh* Ambaſ-ſador, and by him ſent to *London*, from whence they got a Paſſage to this Place; there-fore praying this Houſe would conſider the Petitioners unhappy Caſe, and grant them as much Money as will bear their Expences to *Cumberland* County, the Place of their Reſidence.

Ordered to lie on the Table.

Ordered, That the Clerk do inform the ſaid Petitioners, that the Houſe require their Attendance this Afternoon.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

The Petitioners, who were ordered to attend the Houſe this Afternoon, giving their Attendance accordingly, were called in, and having anſwered ſuch Queſtions as were put to them by this Houſe, withdrew.

Ordered, That the Sum of *Sixteen Pounds* be allowed to the ſaid Petitioners, towards defraying their Expences home to *Cumberland* County. And an Order was accordingly drawn on the Treaſurer for the ſame, and ſigned by the Speaker.

Then

Then the House adjourned to Ten o'Clock To-morrow Morning. 1753. May 23.

Sundry Letters from *Richard Patridge*, Esq; Agent in *London*, were laid before the House by the Committee of Correspondence, together with the following Account of the Value of Exports from *Great-Britain* to this Province, *viz.*

An Account of the Value of the Exports from England *to* Pennsylvania *in Three Years, from* Christmas 1748, *to* Christmas 1751, *distinguishing each Year.*

	Value of Exports of *English* Produce.			Value of Exports *per* Certificate.			Total Exports.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
From *Christmas* 1748 to *Christmas* 1749,	191,833	0	6	46,804	2	4	238,637	2	10
1750,	156,945	7	10	60,767	13	0	217,713	0	10
1751,	129,503	17	1	61,413	8	0	190,917	5	1
Total,	478,282	5	5	168,985	3	4	647,267	8	9

And the said Letters and Account being read, were ordered to lie on the Table for the Perusal of the Members.

The Message from the Governor to the Assembly was again read, and considered, and referred to further Consideration.

Ordered, That the Copy of the Representation, which the Assembly on the 24th of *August* 1751, delivered to the Governor, in order to be by him transmitted to the Proprietaries, be now read.

And the same was done accordingly.

Ordered, That *Joseph Trotter* and *Hugh Roberts* wait upon the Governor, and desire to know if he hath as yet received any Answer from the Proprietaries to the said Representation.

The Petition from a considerable Number of the Inhabitants of the County of *Lancaster*, requesting an Addition to the Paper Currency of this Province, was again read, and considered.

Ordered, That the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, referred to this Sitting of Assembly, be now taken up and read; which was accordingly done, and the Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he had, since the last Meeting of this House, received from the Proprietaries an Answer to the Representation of the Assembly in 1751, which he would send to the House this Afternoon.

Another Petition from a considerable Number of the Inhabitants of the County of *Lancaster*, praying a further Addition to our Paper Currency, was presented to the House and read, and *Ordered to lie on the Table.*

The Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was again read, and considered, and the further Consideration thereof referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *May* 24.

The Governor, by his Secretary, sent down the Proprietaries Answer to the Representation of the Assembly in *August* 1751, which was read, and ordered to lie on the Table for the Perusal of the Members.

The Messages of the Governor and Assembly in *August* 1751, concerning *Indian* Affairs, and the Proprietaries bearing a proportionable Part of the Expences thereof; and the Report of the Committee, about that Time appointed to search the Records and Minutes of the House, relating thereto, with the Assembly's Resolve on said Report, were read, together with the Representation sent to the Proprietaries in Pursuance of said Resolves, and were *Ordered to lie on the Table.*

The Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being again read, and considered; some Alterations were made therein, and

Ordered, That *Edward Warner*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *Joseph Gibbons*, *Arthur Patterson*, *John Wright*, *Joseph Armstrong*, *Moses Starr* and *James Burnsides* be a Committee to prepare a Draught of a Message to be sent up to the Governor with the said Bill this Afternoon.

Then

1753.
May 24. Poſt Meridiem

Then the Houſe adjourned till Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of a Meſſage to the Governor, reported, that they had made ſome Progreſs therein, but not having as yet compleated the ſame, deſired that further Time might be allowed them for that Purpoſe; to which the Houſe aſſented.

A Petition from ſundry Inhabitants of the County of *Bucks* was preſented to the Houſe and read, ſetting forth, that the Holding the Supreme Courts in the County of *Philadelphia* only, and not in the ſeveral Counties, according to the Law in that Caſe made and provided, is a great Grievance to the Petitioners, as they are by that Means put to conſiderable Expences in attending thoſe Courts as Jurors, *&c.* beſides their Loſs of Time; that they are humbly of Opinion, that at the Time of making the Law abovementioned, the Circumſtances of the Province were ſuch, as that the Times therein limited, for holding the ſaid Courts in the ſeveral Counties, were ſuitable and ſufficient, but thoſe Circumſtances being ſince much altered, both with reſpect to the Number of Inhabitants, and Increaſe of Buſineſs at thoſe Courts, it has now become impracticable for the Judges to attend at the ſeveral Counties, at the Times by Law required, and go through the neceſſary Buſineſs, which has occaſioned the introducing the Practice of holding all the ſaid Courts at *Philadelphia*, to the great Inconveniency of the Inhabitants of the other Counties; therefore praying this Houſe would take the Premiſes into their ſerious Conſideration, and grant ſuch Relief as in their Wiſdom they ſhall judge moſt meet. *Ordered to lie on the Table.*

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 25.

The Committee appointed to prepare a Draught of a Meſſage to the Governor, to accompany the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, reported the ſame to the Houſe, and it was read by Order, agreed to, and ordered to be tranſcribed.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

The Meſſage to the Governor being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor.

THE Governor's Apprehenſion, at our laſt Sitting, that the Diſlike raiſed in *Great-Britain* of the Bills of Credit in the Plantations by the late too general and undiſtinguiſhing Complaints, ſo warmly ſubſiſted, as to make any Application to the Crown about our Currency at that Time unſeaſonable, induced the Houſe, notwithſtanding their different Sentiments, to make a ſhort Adjournment, to conſider farther of the Weight of that Objection; and alſo of the Sums by that Bill propoſed to be made, and continued current in this Province. And now, when we reflect, that though the Complaints againſt a Paper Currency, ariſing from the Exceſſes of ſome Colonies therein, were indeed at firſt too general and undiſtinguiſhing, ſo as to occaſion the bringing into Parliament a Bill for reſtraining the ſame in all the Colonies; yet, as upon ſtrict Enquiry (a State of our Currency then lying before them) the Parliament thought fit to alter the Bill, and lay the Reſtraint only on thoſe Colonies where that Currency had been abuſed, we cannot but look on this as diſtinguiſhing in our Favour; eſpecially as we are aſſured, that no Complaints were ever made of our Currency by the *Britiſh* Merchants, trading hither, who only could be affected by it; but that on the contrary they have, whenever called upon for their Opinion by the Parliament or the Lords of Trade, appeared openly and warmly in its Favour, and declared (as they did in 1739, when our Act for *Eighty Thouſand Pounds*, the preſent Sum, was under Conſideration) "That it was not only a reaſonable Sum, but abſolutely neceſſary for carrying on the Commerce of the Country;" which appears by the Report of the ſaid Lords, made on that Occaſion to the Council. And as the Exports from *Britain* to this Province, of which we have authentic Accounts, had then, in the three preceding Years, amounted to no more than *One Hundred Seventy-nine Thouſand Six Hundred Fifty-four Pounds Nine Shillings* and *Two-pence Sterling*; and now in the Years 1749, 1750 and 1751, they amount to *Six Hundred Forty-ſeven Thouſand Three Hundred Seventeen Pounds Eight Shillings* and *Nine-pence Sterling*; and our Numbers of People, and Domeſtic Trade, and the Occaſions for a Medium of Commerce, are equally increaſed, there cannot, we think, be any Doubt, but the *Britiſh* Merchants will now likewiſe be of Opinion that the ſmall Addition we at preſent propoſe is abſolutely neceſſary, though they may not think it ſo ſuitable to our Circumſtances as a larger Sum; *One Hundred Thouſand Pounds* of Paper Currency bearing by no Means the ſame Proportion to our Trade now, as *Eighty Thouſand Pounds* did then. And it is certain, that as the Money circulating among us diminiſhes, ſo muſt our Trade and Uſefulneſs to *Great-Britain*, and our Conſumption of its Manufactures, diminiſh.

Upon the Whole, we intreat the Governor to conſider the diſtreſſing Circumſtances under

under which the Trade, and in Consequence the whole Province, must languish, if, contrary to our Expectations, the Bill we now present him should not be enacted into a Law. And we are well assured, that as the Governor has been pleased to declare his Sentiments of the many Advantages we derive from the Use of Paper Money, his transmitting it Home, in a true Light, will make our Application to the Crown as effectual as it is seasonable." 1753. May 25.

And the said Message being signed by the Speaker, by Order of the House;

Ordered, That *Mahlon Kirkbride* and *Peter Worral* wait upon the Governor, and deliver the same, together with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province.

A Petition from the United Brethren, living at *Bethlehem*, in *Northampton* County, was presented to the House and read, setting forth, that when the Township of *Bethlehem* belonged to *Bucks* County, the said Brethren were treated with Equity and Moderation, and the Law of this Province, entituled, *An Act for the more effectual raising County Rates and Levies* (which gives the Commissioners and Assessors Power to act, in raising the Tax, according as Circumstances shall appear to them) was never made Use of in order to lay a Tax on the young Men belonging to their Society, but that they were always taxed in general, as a Body of People (their young Men not going abroad to work and earn Money) which appears by an annexed Paper, marked Letter A, containing an Account of all the Taxes paid by them from the Year 1745, to 1752, inclusive; that since the said Township has belonged to *Northampton* County, the said Brethren, who live on four Plantations, *viz. Bethlehem*, *Nazareth*, *Gnadenthal* and *Christiansbrun*, are not only taxed higher than ever before, but also an additional Tax of *Nine Shillings* a Head is laid upon all their young Men; so that their Taxes, which since 1747 never amounted to *Nine Pounds*, are now raised to *Seventy-three Pounds Nine Shillings*, as will appear by an annexed Paper, marked Letter B; that the said Brethren thinking themselves much aggrieved by the said Tax, made Application to the Court of Appeal (as may be seen by another Paper annexed, marked Letter C) but could meet with no Redress; they therefore pray that this House would take the Premises into Consideration, and grant them Relief therein, as they apprehend their Case is very different from that of other young People in this Province, who by going about to work, earn oftentimes more Money than a common Planter can do, and are, as the Petitioners conceive, the Persons particularly meant in the aforesaid Act.

Ordered to lie on the Table.

The several Papers, A, B, C, referred to in the above Petition, were likewise read, and *Ordered to lie on the Table.*

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would take it into Consideration, and return an Answer to the House shortly.

The Message from the Governor, of the 22d Instant, relating to *Indian* Affairs, was again read, and considered, and referred to further Consideration.

The Committee of Grievances made a Report in Writing, which was read, and is as follows, *viz.*

Report of the Committee of Grievances.

WE the Committee of Grievances, to whom Part of the Petition from *Northampton* County, containing sundry Complaints of the Conduct of *William Craig*, Esq; Sheriff of the said County, was referred, do report,

That having met and considered the said Petition, we directed the Clerk to make out and transmit a Copy thereof to the said Sheriff, and acquaint him by Letter, that the Committee were willing to hear what he might have to say in his Justification, before they made their Report to the House; and appointed the first of *February* for that Purpose. We also directed that Notice should be given to some of the principal Petitioners, that they might also attend and be heard in support of the Allegations contained in their Petition.

On the Day appointed for such Hearing, several of the Petitioners attended accordingly, but the said *William Craig* not appearing, the Committee adjourned to the Day following, when they received a Letter said to be from the said *Craig*, requesting a farther Day; which the Committee allowed, and appointed the 21st Instant, of which he had due Notice. Several of the Petitioners again attended on the said Day, but the Sheriff has not appeared, nor sent his Reasons.

Your Committee, however, are informed by the Petitioners attending, that the principal Causes of Complaint set forth in their Petition are removed, the Sheriff having for some Time past declined acting as a Justice of the Peace, and likewise given up the Office of Treasurer of the County.

But the Petitioners attending, do now farther complain, and say, that the Commis-

1753. *May* 25. sioners and Assessors of their County having appointed to meet ad *Eastown*, to hear Appeals on the 7th of *February*, the said *Craig*, as their Clerk, did by Letters to some of them, alter the Place of Meeting, and appointed his own House, 17 Miles distant, where only four Assessors, and two of the Commissioners being met (the others, who had no Notice of the Change, being gone to *Eastown*) the Choice of a new Treasurer was proposed; and, though objected to as an unfair Proceeding, no Notice having been given in the Letters by which they were summoned of the Intention to make such Choice at that Time, and the Board not being full, yet it was carried by the Votes of two Assessors, with the two Commissioners, and one *James M'Callister* was said to be chosen, who accordingly undertook the Office. But a certain Schoolmaster, who sometimes acts as Clerk to the said *Craig*, receiving the Money as brought in by the Collectors, and giving Receipts therefor, signed with the Name of said *M'Callister*, though not wrote or signed by him, nor said to be on his Behalf, they apprehend that the said *M'Callister* only colours the Office of Treasurer for the said *Craig*, who by the above-mentioned Artifice procured him to be chosen; and that the said *M'Callister* will not by such Receipts be accountable for the Monies received.

The Complainants produced to your Committee one of the said Receipts, which appears on Comparison not to be the Hand-Writing of the said *M'Callister*, nor signed by him; but to be of the same Hand-Writing with the Letter the Committee received as from *William Craig*; they produced also the Protest of *John Holder*, one of the Assessors, against proceeding to the Choice of a Treasurer as aforesaid, with one of the Letters of Notice appointing that Meeting. All which we lay before the House, and the Whole is humbly submitted by

EDWARD WARNER,
EVAN MORGAN,
B. FRANKLIN,
HUGH ROBERTS,
JOSEPH STRETCH,
PETER WORRAL,
JOSEPH TROTTER."

Ordered to lie on the Table.

Adjournment — Then the House adjourned to Ten o'Clock To-morrow Morning.

May 26. The Report of the Committee of Grievances was again read, and considered, and referred to further Consideration.

Adjournment — Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

May 28. The House met pursuant to their Adjournment.

Post Meridiem — The Petition from the United Brethren, living in *Bethlehem* Township, in *Northampton* County, was again read and considered, and referred to farther Consideration.

The Petition from *Bucks* County, relating to the Holding of the Supreme Courts in *Philadelphia*, was again read, and considered, and referred to farther Consideration.

Adjournment — Then the House adjourned to Ten o'Clock To-morrow Morning.

May 29. The Governor, by his Secretary, sent down to the House some Letters he had received from *William Trent*, relating to the present Situation of *Indian* Affairs at the River *Ohio*.

The Secretary likewise acquainted the House, that *John Harris*, the Messenger sent by the Governor's Order to *Ohio*, was returned, and now in Town; as were also some others, who were present when the said Messenger delivered his Message to the *Indians*; and that, if the House inclined to ask them any Questions, they were ready to give their Attendance for that Purpose.

And the Secretary being withdrawn,

The Letters from the said *William Trent* were read; as was also the Governor's Message, relating to *Indian* Affairs.

Ordered, That the Door-keeper do acquaint *J. Galbraith* and *John Harris*, two of the Persons just arrived from *Ohio*, that the House require their Attendance immediately:

And the said Persons giving their Attendance accordingly, were called in; and haveing answered such Questions as were put to them by the House, withdrew.

Ordered, That the Door-keeper do give Notice to *Michael Teaff* and *Robert Callender*, two other of the Persons lately from *Ohio*, that the House require their Attendance this Afternoon.

Adjournment — Then the House adjourned to Three o'Clock, *P. M.*

Post Meridiem. *Michael Teaff* and *Robert Callender*, attending according to Order, were called in, and having given Answers to such Questions as were put to them by the House, were directed to withdraw.

Then the House took into Consideration the present State of *Indian* Affairs; and, after some Time spent therein, the same was referred to further Consideration.

Adjournment — Then the House adjourned to Ten o'Clock To-morrow Morning.

May 30. The Assembly's Representation to the Proprietaries, in 1751, with the Proprietaries Answer thereto, were again read, and considered; and, after some Time spent therein,

Ordered, That *Evan Morgan*, *John Smith*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *George Ashbridge*, *Arthur Patterson*, *John Wright*, *John Armstrong*, *Moses*

Starr

Starr and *James Burnſides* be a Committee to conſider the ſaid Repreſentation and Anſwer, and report thereon to the Houſe, at their next Sitting. 1753. *May* 30.

The Secretary attending, was called in; and addreſſing himſelf to the Chair, ſaid,

"SIR,

As the Governor preſumes the Aſſembly, agreeable to the uſual Cuſtom, will meet again in the Month of *Auguſt*, now near approaching, to finiſh the Buſineſs of the Year, he chuſes for that, and ſome other Reaſons, to keep the Paper Money Bill, lately preſented him by the Houſe, under Conſideration till that Time."

The Secretary then withdrew.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Sureties of *John Hall*, late Collector of *Bucks* County, giving their Attendance, agreeable to the Order of the Houſe at their laſt Sitting,

Ordered, That the ſaid Sureties be heard To-morrow Morning; and that the Treaſurer have Notice to attend the Houſe at the ſame Time.

The Meſſage from the Governor relating to *Indian* Affairs, being again read, and conſidered, together with the Governor's verbal Meſſage of the Sixteenth of *October* laſt, relating to the Loſs of fourteen *Indians*, of the *Twightwee* Nation, killed by the *French*, and their *Indians*:

Reſolved, That the Sum of *Two Hundred Pounds* be now allowed as a Preſent of Condolance to the ſaid *Twightwee* Nation, on that melancholy Occaſion.

Reſolved, That the Sum of *Six Hundred Pounds* be now alſo allowed as a Preſent to the other *Indian* Nations in our Alliance, or ſuch Part thereof as the Governor may think neceſſary.

Reſolved, That the above Sums be made payable to the Governor, by the Truſtees of the General Loan-Office, to be laid out by him, and diſtributed in ſuch a Manner as he ſhall think moſt ſuitable to their preſent Exigencies.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *John Wright*, *Joſeph Armſtrong*, *Moſes Starr* and *James Burnſides* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſage of the Twenty-ſecond Inſtant, relating to *Indian* Affairs, and report the ſame to the Houſe To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed Yeſternight to prepare a Draught of an Anſwer to the Governor's Meſſage on *Indian* Affairs, reported the ſame to the Houſe; which was read, and conſidered, Paragraph by Paragraph, and ordered to be tranſcribed, *May* 31.

Ordered, That the Clerk do make out a Copy of the Reſolves of Yeſternight, to be ſent up to the Governor with the ſaid Meſſage.

The Treaſurer, and the Securities of *John Hall*, gave their Attendance; and were ordered to attend the Houſe again this Afternoon.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Meſſage to the Governor being tranſcribed, was again read, approved, and ſigned by the Speaker, by Order of the Houſe, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor.

WE have, on all Occaſions, acknowledged our grateful Sentiments of the Governor's Regard and Juſtice towards the *Indians*, our Allies; and we now again return our hearty Thanks for his continued Care, and for communicating the Intelligence he has received concerning their preſent Diſtreſſes. In Purſuance of which, we have reſumed the Conſideration of the Letters laid before the Houſe, with the Meſſage of the Sixteenth of *October* laſt, together with the Governor's late Meſſages and Papers, ſent down to us before and ſince the Return of the Expreſſes diſpatched to *Ohio*. We have alſo carefully examined the Meſſenger himſelf, and ſuch *Indian* Traders, and others, who could give us any Information of the Numbers, and Deſigns of the Forces, raiſed by the Governor of *Canada*, and of the Condition of the *Twightwees*, as well as the other *Indians*, our Allies, upon the Waters of *Ohio*, and, upon mature Deliberation, have reſolved to contribute generouſly to their Aſſiſtance, by a Preſent ſuitable to their Want of the Neceſſaries of Life.

Though the Alliance between the Crown of *Great-Britain* and the *Six Nations*, and the Protection and Aſſiſtance they expect to receive, in Virtue of that Alliance, is more immediately under the Direction of the Government of *New-York*; and although *Virginia*, at this Time, has entered largely into the Trade, and will, no Doubt, on the preſent Occaſion, aſſiſt them and their Allies, yet we have always endeavoured, in Proportion to our Abilities, by Preſents, as well as by obliging our *Indian* Traders to behave with Juſtice towards them, to preſerve their Friendſhip; and on the preſent Occaſion, notwithſtanding we have the Misfortune to differ in Sentiments with our Proprietaries in the Part they ought to bear in theſe Expences, we have rather conſidered the Advantages both they and the Province may receive by our Liberality, which we have

1753. *May* 31. have voted chearfully, and recommended the Diſtribution to the Care of the Governor, that the *Six Nations*, at *Onondago* (upon any Applications to be made to him in their own Behalf, or for their Allies who reſide to the Weſtward, and are likely to be more immediately affected) may be ſatisfied, and the Preſent intended them beſt anſwer their Neceſſities, and our peaceable and friendly Intentions."

The Clerk, according to Order, laid before the Houſe a Copy of the Reſolves of Yeſternight; which were read, and ordered to be ſigned by him, that they might be ſent to the Governor.

Reſolved, That this Houſe will, To-morrow, adjourn to the Twenty-ſeventh Day of the Month called *Auguſt* next.

Reſolved, That the Sum of *Five Hundred Pounds* be now allowed to the Honourable JAMES HAMILTON, Eſq; Governor of this Province, in Part of his Support for the current Year:

And an Order was drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

It being moved, that the preſent Sergeant at Arms had not as yet been commiſſioned by the Governor to execute the Orders of this Houſe;

Ordered, That a Meſſage be now prepared, and ſent to the Governor, requeſting that he would direct a Commiſſion to be made out for the ſaid Sergeant; which being accordingly done, was read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. THE Repreſentatives of the Province of *Pennſylvania*, in Aſſembly met, requeſt the Governor would be pleaſed to grant a Commiſſion to *Samuel Kirk*, to be Sergeant at Arms, and King's Meſſenger, at all Times to attend the Service of this Houſe, with Power to execute all Precepts, Warrants and Meſſages, whatſoever, which ſhall be iſſued by their Order, as has been formerly the Uſage within this Province."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Joſeph Stretch* and *James Burnſides* wait upon the Governor, and deliver the ſame, together with the Meſſage in Anſwer to that from the Governor, on *Indian* Affairs, the Reſolves of the Houſe of Yeſternight, and the Order on the Treaſurer for Part of his Support for the current Year; and further, that they acquaint the Governor, the Houſe inclines to adjourn to the Twenty-ſeventh Day of the Month called *Auguſt* next, if he hath no Objection to that Time.

The Treaſurer, and the Securities of *John Hall*, gave their Attendance; but the Houſe not having now Time ſufficient to give them a Hearing, they were ordered to attend the Houſe again To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

June 1. The Gentlemen appointed to wait upon the Governor with the Meſſages of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay he thanked the Houſe for the Order on the Treaſurer for Part of his Support; that he would take the Meſſages and Reſolves of the Houſe into Conſideration, and do therein what he ſhould find neceſſary; and that he had no Objection to the Time of Adjournment.

The Treaſurer, and Securities of *John Hall*, giving their Attendance, were called in; and the ſaid Securities waving the Allegations ſet forth in their Petition, preſented to this Houſe at the laſt Sitting, deſired that the Treaſurer might be directed to ſtop his Proſecution againſt them, for ſome Time, as they had Reaſon to expect that *John Hall* would himſelf be ſhortly capable of diſcharging the Debt due by him to the Province.

And the Treaſurer and ſaid Securities being ordered to withdraw, the Houſe took the ſame into Conſideration, and after ſome Time ſpent therein,

Reſolved, That this Houſe will not any way interfere in the ſaid Proſecution.

The Houſe reſuming the Conſideration of the Report of the Committee of Grievances;

Ordered, That *William Craig*, Eſq; Sheriff of *Northampton* County, do attend this Houſe on the Twenty-ſeventh Day of the Month called *Auguſt* next; and that the Clerk do ſend the ſaid *Craig* a Copy of this Order.

All the Petitions referred to this Sitting of Aſſembly were referred over to the Conſideration of the Houſe at their next Sitting.

Adjournment Then the Houſe adjourned to the Twenty-ſeventh Day of the Month called *Auguſt* next.

Auguſt 27. *Poſt Meridiem* THE Houſe met purſuant to their Adjournment.

Ordered, That *Edward Warner* and *Joſeph Stretch* wait upon the Governor, and acquaint him, that the Houſe have met according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

The Committee of Correſpondence laid before the Houſe the following Copy of the King's

King's Order, for confirming twelve Acts of this Province, which they had received from the Agent in *London*, viz. 1753. *August* 27.

At the COURT *at* St. James's, *the* 10*th Day of* May, 1753.

PRESENT.

L. S.

The KING's moſt Excellent Majeſty,

Lord Preſident,	Lord *Delawarr*,	Sir *John Ruſhout*,
Lord Chamberlain,	Lord *Berkley* of Stratton,	*George Dottington*, Eſq;
Duke of *Dorſet*,	Lord *Bathurſt*,	Sir *John Legonier*,
Earl of *Cholmondely*,	Lord *Anſon*,	*Henry Legge*, Eſq;
Earl of *Halifax*,	Mr. Comptroller,	Sir *Thomas Robinſon*,
Earl *Fitz Walter*,	Mr. Vice Chamberlain,	Sir *George Lee*.
Earl of *Buckinghamſhire*,	*Horatio Walpole*, Eſq;	

WHEREAS, in Purſuance of the Powers granted to the Proprietaries of the Province of *Pennſylvania* by Letters Patent, under the Great Seal, the Deputy Governor, Council and Aſſembly, of the ſaid Province, did, in the Years 1750, 1751 and 1752, paſs twelve Acts, which have been tranſmitted, and are entituled as follow, *viz.*

1. *An* ACT *for explaining and aſcertaining the Boundary Line between the Counties of* York *and* Cumberland, *in the Province of* Pennſylvania; paſſed the 9th of *February* 1750.

2. *An* ACT *for the more effectual preventing Accidents which may happen by Fire, and for ſuppreſſing Idleneſs, Drunkenneſs and Debauchery*; paſſed the 9th of *February* 1750.

3. *An* ACT *for the better regulating the nightly Watch within the City of* Philadelphia, *and for enlightening the Streets, Lanes and Alleys of the ſaid City, and for raiſing of Money on the Inhabitants of the ſaid City for defraying the neceſſary Expences thereof*; paſſed the 9th of *February* 1750.

4. *An* ACT *to encourage the eſtabliſhing of an Hoſpital, for the Relief of the Sick Poor of this Province, and for the Reception and Cure of Lunatics*; paſſed the 11th of *May* 1751.

5. *An* ACT *for erecting Part of the Counties of* Philadelphia, Cheſter *and* Lancaſter *into a ſeparate County*; paſſed the 11th of *March* 1752.

6. *An* ACT *for erecting the* North-weſt *Part of* Bucks *into a ſeparate County*; paſſed the 11th of *March* 1752.

7. *An* ACT *to regulate the Aſſize of Bread*; paſſed the 11th of *March* 1752.

8. *An* ACT *to prevent Diſputes about the Dates of Conveyances, and other Inſtruments and Writings*; paſſed the 11th of *March* 1752.

9. *An* ACT *for directing the Choice of Inſpectors in the Counties of* Cheſter, Lancaſter, York, Cumberland, Berks *and* Northampton; paſſed the 11th of *March* 1752.

10. *An* ACT *for preventing Bribery and Corruption in the Election of Sheriffs and Coroners, within this Province*; paſſed the 11th of *March* 1752.

11. *An* ACT *for regulating and eſtabliſhing Fees*; paſſed the 22d of *Auguſt* 1752.

12. *An* ACT *for regulating Attachments not exceeding* Five Pounds; paſſed the 22d of *Auguſt* 1752.

His Majeſty this Day took the ſaid Acts into Conſideration; and having received the Opinion of the ſaid Lords Commiſſioners for Trade and Plantations, and alſo of a Committee of the Lords of his Majeſty's moſt honourable Privy Council, thereupon, is hereby pleaſed to declare his Approbation of the ſaid Acts: And purſuant to his Majeſty's Royal Pleaſure thereupon expreſſed, the ſaid Acts are hereby confirmed, finally enacted, and ratified accordingly: Whereof the Deputy Governor, Council and Aſſembly of the ſaid Province, and all others whom it may concern, are to take Notice, and govern themſelves accordingly.

W. SHARPE."

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *Auguſt* 28.

The Gentlemen appointed to wait upon the Governor, report, that they had delivered their Meſſage according to Order; and that the Governor was pleaſed to ſay, he ſhould ſend a Meſſage to the Houſe ſome Time To-morrow.

Sundry Letters from the Agent in *London* were laid before the Houſe by the Committee of Correſpondence, and read, and *Ordered to lie on the Table.*

A Petition from divers Inhabitants of the City of *Philadelphia* was preſented to the Houſe and read, ſetting forth, that there is yearly a conſiderable Quantity of Silver and Gold wrought in this Province, not only for the Inhabitants, but alſo for ſeveral of the neighbouring Provinces, and *Weſt-India* Iſlands, which latter would probably encreaſe, and give more general Satisfaction, were proper Regulations made as to the Fineneſs of the Silver and Gold to be wrought; the Petitioners therefore pray that this Houſe would take the Premiſes into Conſideration, and aſcertain the Fineneſs of all Silver and Gold

1753. *Auguſt* 28.

which ſhall hereafter be wrought in this Province, agreeable to the Laws and Cuſtoms of *Great-Britain*; and to appoint a proper Perſon to *aſſay* and *ſtamp* all ſuch Manufactures, made agreeable to the ſaid Regulation, as will admit of it; to allow ſuch Officer a reaſonable Reward for his Service, and give him ſuch Powers, and lay him under ſuch Injunctions, as ſhall ſeem moſt meet. *Ordered to lie on the Table.*

A Petition from ſundry Inhabitants of the County of *Cumberland* was preſented to the Houſe and read, praying, that ſome Perſon, reſident in ſaid County, may be appointed a Truſtee in the General Loan-Office, as they apprehend it would not only prevent the ſaid Office from being impoſed on by inſufficient Securities from that Part of the Province, but alſo the Inhabitants from having their Pledges undervalued, as they ſometimes are. *Ordered to lie on the Table.*

An Account from *Ezechiel Dunning*, Sheriff of the County of *Cumberland*, for ſecureing and conveying one *Daniel Hurdley* to *Philadelphia* Goal, by Order of the Chief Juſtice amounting to *Twenty-four Pounds Three Shillings*, was laid before the Houſe and read. Alſo

An Account from *Hermanus Alrichs*, Eſq; for *Five Pounds* paid by him to *John Harris*, for taking up the ſaid *Daniel Hurdley*, when he broke Goal. *Ordered to lie on the Table.*

The Houſe being informed that *William Craig*, Eſq; Sheriff of *Northampton* County, in Purſuance of the Order of the Houſe at their laſt Sitting, was now attending, he was called in; whereupon he delivered at the Table, a Repreſentation from a conſiderable Number of the Inhabitants of ſaid County, contradicting the ſeveral Facts alledged againſt the ſaid *Craig*, in a Petition preſented to the Houſe on the Twenty-third of the Month called *January* laſt.

The ſaid *Craig* alſo produced to the Houſe a Certificate from two Commiſſioners and three Aſſeſſors of the ſaid County, certifying, that they had on the Twelfth Day of *December* laſt paſt duly elected him, the ſaid *Craig*, Treaſurer thereof, without his making any previous Application to them, or uſing any Craft or Artifice to obtain the ſaid Office; and then being ordered to attend this Houſe again in the Afternoon, he withdrew.

It being obſerved, that the above Repreſentation from *Northampton*, accuſes one *John Jones*, of ſaid County, that he out of private Reſentment and Malice, by falſe Inſinuations and Miſrepreſentations prevailed upon many of the Inhabitants to ſign the Petition that was preſented to the Houſe againſt ſaid *Craig*: And the Houſe being informed that the ſaid *Jones* was now in Town,

Ordered, That the Clerk do make out a Copy of the ſaid Repreſentation, and deliver it to the ſaid *John Jones*; and acquaint him that the Houſe require his Attendance this Afternoon.

Samuel Kirk, Sergeant at Arms, acquainted the Houſe that the Governor had given him a Commiſſion, agreeable to the Requeſt of the Houſe at their laſt Sitting; which he produced at the Table, and then withdrew.

And the ſaid Commiſſion being read,

Ordered, That the Clerk do take a Copy thereof, and depoſite it among other the Papers belonging to this Houſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. *Ordered*, That *Edward Warner*, *Evan Morgan*, *Hugh Roberts*, *Richard Walker*, *Thomas Cummings*, *Calvin Cooper*, *David M'Connaughy*, *John Armſtrong*, *Moſes Starr* and *James Burnſides* be a Committee to inſpect and ſettle the Accounts of the Incidental Charges of the current Year.

Ordered, That the Accounts of *Ezechiel Dunning* and *Hermanus Alrichs* be referred to the ſaid Committee.

John Jones, giving his Attendance according to Order, was called in: And he deſiring further Time to anſwer the Allegations againſt him, contained in the Repreſentation from *Northampton* County; the Houſe aſſented thereto, and allowed him till To-morrow Morning for that Purpoſe. And

Ordered, That *William Craig* do likewiſe attend the Houſe at that Time.

The Petition of *James Read*, Eſq; late Clerk of the Crown, was read, and conſidered, and referred to further Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 29. A Petition from ſundry Inhabitants of *York* County, praying that a Truſtee of the General Loan-Office may be appointed for the ſaid County, was preſented to the Houſe, and read, and *Ordered to lie on the Table.*

The Petitions from *Northampton* County againſt *William Craig*, Eſq; Sheriff of ſaid County, and the Report of the Committee of Grievances thereupon, were read, together with the ſeveral Letters and Papers mentioned in ſaid Report.

John Jones gave his Attendance according to Order, and being called in, preſented a Petition to the Houſe, in Anſwer to that Part of the Repreſentation from *Northampton* County which relates to him; wherein he gives ſundry Reaſons which he apprehends

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are sufficient to prove that he had no private Resentment or Malice against the Sheriff of said County; and that it was not by false Insinuations and Misrepresentations that he prevailed upon sundry Persons in said County to sign the Petitions that were presented to this House against him. 1753. *August* 29.

And the said *Jones* being then directed to withdraw,

William Craig, who likewise gave his Attendance, was called in, and the said Petition read to him; and he desiring a Copy thereof, the Clerk was ordered to give him one accordingly; and the House ordered that he, the said *Craig*, should attend again this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Governor, by his Secretary, sent down the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a written Message, and a Paper containing some proposed Amendments to the said Bill.

The said Message being read, is as follows, *viz.*

GENTLEMEN,

'IN Answer to your Message of the Twenty-fifth of *May* last, I now send you down the Bill, entituled, *An Act for striking the Sum of* Twenty Thousand Pounds, *to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province*, with some few Amendments, to which I presume you can have no Objection. A Message from the Governor to the Assembly.

'I cannot, however, but acquaint you, that in giving my Assent to this Bill, I have acted rather in Compliance to your repeated Applications, than that, in my own Judgment, I could think an Addition to our Currency at this Time absolutely necessary; I am in Hopes nevertheless, that as the Sum to be emitted is not exorbitant, it may be attended with no bad Consequences to the Province.

August 29, 1753. *JAMES HAMILTON.*"

The Secretary also delivered at the Table a Message from the Governor on *Indian* Affairs, which was read, and is as follows, *viz.*

GENTLEMEN,

'SINCE your Recess I have waited in almost daily Expectation of receiving such circumstantial Accounts of *Indian* Affairs, either by immediate Application from themselves, or by Information of the most intelligent among the Traders, as that, in disposing of the Money voted for *Indian* Services, I might best consult the Interest of the Province, and fulfil the Intention of the Trust reposed in me. A Message from the Governor to the Assembly.

'I am now to acquaint you, that no Application hath been yet made to me for any Purpose whatever, either by the *Indians* at *Onondago*, or those at *Ohio*; nor have I received such well grounded Advices of their Wants or Distresses of any Kind, as to induce me to make Use of the Credit you invested me with at your last Sessions. But that I may be perfectly satisfied of the Minds of the *Six Nations*, and of the true Situation of their Affairs, I dispatched Mr. *Weiser* the latter End of the last Month to the *Onondago* Country, for Intelligence upon all such Points as may be necessary for me to know, intending to take my Measures from the Advices he shall bring from thence.

'The Sum appropriated for a Present of Condolence to the *Twightwees* should have been long since laid out in Goods, suitable to the Occasion, and sent them; but it having been represented, by all who came from the Westward, that the *French* were on their March to *Ohio*, and had dispatched before them several Parties of their *Indians*, I thought the sending them under these Circumstances would be attended with too great a Risk of their falling into the Enemies Hands, together with the Persons employed in transporting them through so large an Extent of Country; being well assured, that, unless the Present be delivered to them in one of their own Towns, it will be liable to great Embezzlement, as well as fall short of its intended Effect. When these Difficulties are removed, the Present shall be forthwith transmitted to them.

August 29, 1753. *JAMES HAMILTON.*"

The House took into Consideration the Amendments proposed by the Governor to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and, after some Time spent therein, the further Consideration thereof was referred to To-morrow Morning.

William Craig and *John Jones* are ordered to attend the House To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Governor's proposed Amendments to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, *August* 30.

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1753. *Auguſt* 30. and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and, after a conſiderable Time ſpent therein, the ſame was referred to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe again reſumed the Conſideration of the Governor's propoſed Amendments to the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, and ſome of them were agreed to by the Houſe, and in others the Houſe unanimouſly adhered to the Bill.

Ordered, That *Edward Warner* and *Joſhua Morris* wait upon the Governor with the ſaid Bill, and acquaint him, that the Houſe have agreed to ſome of the Amendments propoſed by him, and in others adhere to the Bill; and deſire that he will be pleaſed to paſs the ſame as it now ſtands.

John Jones and *William Craig* attending, were called in; and the ſaid *Craig* having, by Permiſſion of the Houſe, ſpoke to ſeveral Particulars contained in *Jones's* Petition, in order to invalidate the ſame; and both Parties having offered what they had to ſay, and anſwered ſuch Interrogatories as were put to them by this Houſe, they were ordered to withdraw, and to attend the Houſe again To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 31. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would return an Anſwer ſome Time this Day.

The Houſe proceeded to the Conſideration of the Affair of *William Craig*; and, after ſome Time ſpent therein,

Ordered, That the ſaid *William Craig* be ſeverely reprimanded from the Chair, for the Contempt ſhewn to the Order of the Committee of Grievances, in not attending at the Time they appointed him, nor ſending any Reaſons to excuſe his Abſence.

And the ſaid *Craig* being called in, did accordingly receive a ſevere Reprimand from the Speaker in the Chair; and acknowledging his Fault, and promiſing to behave in ſuch a Manner as to give no Cauſe of Complaint for the future, he was diſmiſſed.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor, by his Secretary, returned the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a Paper of Amendments, together with a Copy of an additional Inſtruction from their Excellencies the Lords of the Regency of *Great-Britain*, ſent over in the Year 1740, which were read, and conſidered; and, after ſome Time ſpent therein, referred to further Conſideration.

The ſaid additional Inſtruction is as follows, *viz.*

By the LORDS JUSTICES.

L. S.

JOHN, *Cant.* WILMINGTON, P. HERVEY, C. P. S.
DORSET, GRAFTON, RICHMOND.
LENNOX and AUBIGNY, BOLTON,

Additional INSTRUCTION *to* GEORGE THOMAS, *Eſq; Deputy Governor of his Majeſty's Province of* Pennſylvania, *in* America, *or to the Commander in Chief of his Majeſty's ſaid Province for the Time being. Given at* Whitehall, *the* 21*ſt Day of* Auguſt, 1740, *in the Fourteenth Year of his Majeſty's Reign.*

WHEREAS an Act of Parliament was paſſed in the Sixth Year of her late Majeſty Queen ANNE, entituled, *An Act for aſcertaining the Rates of foreign Coins in her Majeſty's Plantations, in* America: And whereas Complaints have been made, that the ſaid Act has not been obſerved, as it ought to have been, in many of his Majeſty's Colonies and Plantations in *America*, by Means whereof many indirect Practices have grown up, and various and illegal Currencies have been introduced in ſeveral of the ſaid Colonies and Plantations, contrary to the true Intent and Meaning of the ſaid Act, and to the Prejudice of the Trade of his Majeſty's Subjects; in Conſequence of which Complaints, an humble Addreſs was preſented the laſt Seſſions by the Houſe of Commons to his Majeſty, "That he would be graciouſly pleaſed to require and command the re- "ſpective Governors of his Colonies and Plantations in *America*, effectually to obſerve "the ſaid Act of the Sixth of Queen ANNE:" It is therefore his Majeſty's Royal Will and Pleaſure, and you are hereby ſtrictly required and commanded to take the moſt effectual Care for the future, that the ſaid Act be punctually, and *bona Fide*, obſerved and put in Execution, according to the true Intent and Meaning thereof. And to the End that his Majeſty's Commands herein may be fully made known to all his Subjects within your Government, and that none of them may pretend Ignorance thereof, you

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are hereby further required, and commanded, to publish this Instruction in such Manner, as may best answer his Majesty's gracious Intentions herein signified. 1753. August 31.

And whereas many and great Inconveniencies have arisen in some of his Majesty's Colonies and Plantations in *America*, by passing Laws for striking Bills of Credit, and issuing out the same in Lieu of Money, making it obligatory on all Persons to take such Bills in Payment of Debts, Dues and Demands, whereby the good Intention of the aforementioned Act of the Sixth of her late Majesty Queen ANNE, "For ascertaining "the Rates of foreign Coins in her Majesty's Plantations in *America*," has been frustrated, and a great Discouragement has been brought on the Commerce of this Kingdom, by occasioning a Confusion in Dealings, and a Lessening of Credit in those Parts: And whereas an humble Address was presented the last Session by the House of Commons to his Majesty, to the Effect following, *viz.* "That he would be graciously "pleased to require and command the respective Governors of his Colonies and Plantations in *America* not to give Assent to, or pass, any Act, whereby Bills of Credit "may be struck, or issued, in Lieu of Money, without a Clause be inserted in such "Act, declaring, that the same shall not take Effect until the said Act shall be approved "by his Majesty."

It is therefore his Majesty's Will and Pleasure, and you are hereby required, upon Pain of his Majesty's highest Displeasure, not to give your Assent to, or pass, any Act, whereby Bills of Credit may be issued, in Lieu of Money, without a Clause be inserted in such Act, declaring that the same shall not take Effect until the said Act shall be approved by his Majesty, his Heirs, or Successors.

J. C. W. P. H. C. P. S. D. B."

Ordered, That the Clerk do go to the Secretary, and acquaint him, that the House require a Copy of the King in Council's Approbation of the Act, entituled, *An Act for reprinting, exchanging and re-emitting all the Bills of Credit of this Province, and for striking the further Sum of* Eleven Thousand One Hundred *and* Ten Pounds Five Shillings, *to be emitted upon Loan.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Clerk, according to Order, brought to the House a Copy of the King in Council's Approbation of the Act, entituled, *An Act for reprinting, exchanging and re-emitting all the Bills of Credit of this Province, and for striking the further Sum of* Eleven Thousand One Hundred *and* Ten Pounds Five Shillings, *to be emitted upon Loan*, with four other Acts therein mentioned, passed in *May* 1739, which had been delivered him by the Secretary. *September* 1.

And the same being read, is as follows, *viz.*

At the COURT *at* ST. JAMES'S, *the* 12*th Day of May*, 1740.

PRESENT.

L. S.

The KING's most Excellent Majesty,

Archbishop of *Canterbury*,	Lord *Sidney Beauclerk*,
Lord Chancellor,	Viscount *Lonsdale*,
Lord President,	Viscount *Torrington*,
Lord Privy Seal,	Lord *Harrington*,
Lord Steward,	Lord *Cornwallis*,
Lord Chamberlain,	Lord *Mason*,
Duke of *Richmond*,	Mr. Speaker,
Duke of *Bolton*,	Mr. Chancellor of the Exchequer,
Duke of *Devonshire*,	Lord Chief Justice *Willes*,
Duke of *Rutland*,	Sir *Charles Wills*,
Duke of *Montague*,	*Henry Pelham*, Esq;
Duke of *New-Castle*,	*Horatio Walpole*, Esq;
Earl of *Pembroke*,	*Stephen Poyntz*, Esq;
Earl of *Grantham*,	Sir *William Younge*,
Earl of *Cholmondeley*,	Sir *John Norris*.

WHEREAS, in Pursuance of the Powers granted to the Proprietaries of the Province of *Pennsylvania*, by Letters Patent, under the Great Seal, the Deputy Governor, Council and Assembly of the said Province, did, in *May* 1739, pass five Acts, which have been transmitted, and are entituled as follow, *viz.*

An Act for the more easy and speedy Recovery of small Debts.

A Supplement to the Act for electing Members of Assembly, &c.

An Act for the more effectual preserving the Credit of our Paper-Money, and recovering the Proprietary Quit-rents.

An Act for reprinting, exchanging and re-emitting all the Bills of Credit of this Province,

1753. *vince, and for ſtriking the further Sum of* Eleven Thouſand One Hundred *and* Ten Pounds Five Shillings, *to be emitted upon Loan.*

September 1. *An Act for the better enabling divers Inhabitants of the Province of* Pennſylvania *to trade and hold Lands within the ſaid Province.*

His Majeſty this Day took the ſaid Acts into his Royal Conſideration, and having received the Opinion of the Lords Commiſſioners for Trade and Plantations, and alſo of a Committee of the Lords of his Majeſty's moſt honourable Privy Council thereupon, is hereby pleaſed to declare his Approbation of the ſaid Acts: And purſuant to his Majeſty's Royal Pleaſure thereupon expreſſed, the ſaid Acts are hereby confirmed, finally enacted, and ratified accordingly: Whereof the Deputy Governor, Council and Aſſembly of the ſaid Province, and all others whom it may concern, are to take Notice, and govern themſelves accordingly.

WILLIAM SHARPE."

The Paper of propoſed Amendments, ſent down Yeſternight by the Governor, with the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being again read, and conſidered;

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *George Aſhbridge*, *Peter Worral*, *David M'Conaughy*, *Joſeph Armſtrong*, *Moſes Starr* and *James Burnſides* be a Committee to conſider the additional Clauſe propoſed in ſaid Amendments, and examine the Charters of this Province relating thereto, and report thereon to the Houſe.

The Meſſage from the Governor of the Twenty-ninth of *Auguſt* laſt, on *Indian* Affairs, was again read, and conſidered, and referred to further Conſideration.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

September 3. The Houſe met, according to their Adjournment.

The Committee appointed to conſider the Clauſe propoſed by the Governor to be added to the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, made their Report in Writing, which was read, and is as follows, *viz.*

Report from the Committe on the Bill for ſtriking *Twenty Thouſand Pounds.*

WE have conſidered the additional Clauſe propoſed by the Governor to be added to the Bill, entituled, *An Act for ſtriking the Sum of* Twenty Thouſand Pounds, *to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province*; and have alſo examined the Clauſe with the additional Inſtruction from the Lords Juſtices to Colonel *Thomas*, our late Governor; on which the Governor has been pleaſed to ground his Reaſons for not paſſing that Bill as it now ſtands; as likewiſe the Royal and Provincial Charters, ſo far as concerns the Amendment under your immediate Conſideration. And in Obedience to the Order of the Houſe we do report,

That we find the Clauſe to be added to the Bill is as follows, *viz.* "Provided al- "ways, and it is hereby further enacted by the Authority aforeſaid, that this Act, or "any Thing therein contained, ſhall not take Effect, or be deemed, or conſtrued, or "taken, to have any Force or Effect, until the ſame ſhall have received the Royal Ap- "probation of his Majeſty, his Heirs, or Succeſſors."

That, upon conſidering this Clauſe, the Houſe unanimouſly agreed to return the Bill with the following Objections, *viz.* "That the Houſe cannot agree to this Amend- "ment, becauſe we apprehend the Clauſe deſtructive of the Liberties derived to us by "the Royal and Provincial Charters, as well as injurious to the Proprietaries Rights, "and without any Precedent in the Laws of this Province."

That the Governor has been pleaſed again to ſend down the Bill, with his Reaſons for adhering to the Amendment in theſe Words, "The Clauſe propoſed to be added to "the Bill to which the Houſe objects, is founded on an Inſtruction from their Excel- "lencies the Lords of the Regency of *Great-Britain*, in Purſuance of an Addreſs to his "Majeſty from the Honourable Houſe of Commons, in the Year 1740, which Inſtruc- "tion has been long known in this Province, having been communicated to a former "Aſſembly by the late Governor, in the Month of *January* of that Year, and is now "again ſent down for the Peruſal of the Houſe. — Hence they will ſee the Reaſon for "my having added the forementioned Clauſe, from which I cannot allow myſelf the "Liberty of receding." Upon which State of the Queſtion now before the Houſe, your Committee beg Leave to remark,

1. That the Inſtruction referred to by the Governor, is by the Lords Juſtices, and expreſly, declared to be an "additional Inſtruction to *G. Thomas*, Eſq; Deputy-Governor "of his Majeſty's Province of *Pennſylvania*;" dated at *Whitehall*, *Auguſt* 21, 1740.

2. That it was in Purſuance of an Addreſs of the Houſe of Commons to his Majeſty, on the 25th of *April* the ſame Year.

3. That by a Letter from the Board of Trade to our late Governor, dated *May* 20, 1740, mentioned to be in Purſuance of the ſame Addreſs of the Houſe of Commons, the then

then Governor was directed immediately to prepare, and as ſoon as poſſible to tranſmit (to that Board) in order to be laid before the Houſe of Commons at their next Meeting, an Account of the Tenor and Amount of the Bills of Credit which had been created and iſſued (in this Province) that were then outſtanding; with the Amount of ſuch Bills in Money of *Great-Britain*. And likewiſe to ſend his Opinion, what would be the moſt eaſy and effectual Manner of ſinking and diſcharging all ſuch Bills of Credit, with the leaſt Prejudice to the Inhabitants (of this Province) and Interruption to the Commerce of *Great-Britain*. 1753. *September* 3.

4. That, in Purſuance of the ſaid Order, the Aſſembly on the 8th of *January* 1740 furniſhed the Governor with the State of our Paper Currency, to be tranſmitted to the Lords for Trade and Plantations, although he had received from the Repreſentatives of the preceding Year a full and impartial Account of all the Bills of Credit then current; and an Account of the Rates of Gold and Silver, from the Year 1700 to that Time, ſtated and tranſmitted in Compliance with the Directions of the Board of Trade, dated *July* 5, 1739, founded upon two Addreſſes from the Houſe of Lords, and two Addreſſes from the Houſe of Commons, of the 13th of *June* preceding, as appears by the Minutes of this Houſe. And again upon the Duke of *Bedford's* Letter to our preſent Governor, in Purſuance of an Addreſs from the Houſe of Commons to the King, upon the 30th of *May* 1749, the Aſſembly drew up, with great Care and Exactneſs, a third State of our Bills of Credit, the Times appointed by Law for paying in and ſinking the ſame, and the Value of the whole Sum in Sterling Money of *Great-Britain*, which they preſented to the Governor on the 18th of *October* 1749, with a Meſſage, recommending it to his Care to be tranſmitted purſuant to the Directions he had received.

5. That your Committee are well aſſured theſe ſeveral States of our Paper Currency, and the laſt particularly, have been tranſmitted, and carefully examined by the Houſe of Commons on the 15th of *March* 1750, and from thence repeatedly to the End of that Seſſions of Parliament, as is evident from the Votes of the Houſe of Commons, where it appears, on that Day, "That Mr. Comptroller preſented to the Houſe, pur-" ſuant to their Addreſs to his Majeſty of the 30th of *May* 1749, the State of *New-*" *Jerſey* Currency, the State of *Rhode-Iſland* Currency, the State of *North-Carolina* " Currency, the State of *South-Carolina* Currency, the State of *Pennſylvania* Currency, " the State of the Currency of the Counties of *New-Caſtle*, *Kent* and *Suſſex*, the State " of *New-Hampſhire* Currency, the State of *Maſſachuſetts-Bay* Currency, and the State " of *New-York* Currency;" all which ſaid States were ordered to lie upon the Table, to be peruſed by the Members of the Houſe: The Reſult of which Examination terminated in a Bill, entituled, *An Act to reſtrain Paper Bills of Credit in his Majeſty's Colonies, or Plantations of* Rhode-Iſland *and* Providence *Plantations*, Connecticutt, *the* Maſſachuſetts Bay *and* New-Hampſhire, which paſſed the Houſe of Commons on the 10th, was agreed to by the Houſe of Lords on the 18th, and received the Royal Aſſent on the 25th of *June* 1751; by Means whereof, the other Colonies, notwithſtanding the ill Impreſſions the Conduct of ſome of them had made upon the Members of that honourable Houſe, were left in the full Poſſeſſion of their reſpective Rights, in regard to a Paper Currency, and continue ſo to this Day.

6. That the Governor, long ſince the Date of that Inſtruction, has received a Commiſſion from our Proprietaries, with the Approbation of the Crown; and we hope he is at full Liberty to paſs all our Laws upon the Terms granted us by the Royal and Provincial Charters, without thinking himſelf at all concerned in an additional Inſtruction, expreſly directed to a former Governor, the Subſtance of which has, many Years ſince, been printed with our Minutes; and which, as it was temporary, and the State of our Bills of Credit, to which it referred, has, ſince that Time, been ſo carefully examined, in a *Britiſh* Parliament, ſo much to our Advantage, we hope and preſume, has anſwered all the Purpoſes intended, without putting us under the diſagreeable Neceſſity of examining the Validity of that Inſtruction; and this we have the greater Reaſon to expect, when we conſider, that, upon the ſeveral Applications made to our Governor for an Addition to our Paper Currency, he has been pleaſed repeatedly to make Objections of different Kinds, and particularly when the Bill for reſtraining his Majeſty's Colonies in *America* from iſſuing Paper Bills of Credit, was brought into Parliament, he was of Opinion it would be highly imprudent to paſs a Law for encreaſing the Quantity of our Currency, " until ſuch Time as we were better acquainted of the Sentiments of our " Superiors upon a Subject they had under their Conſideration," but 'till now has never made the leaſt Mention of inſerting ſuch a Clauſe.

7. That, upon examining the Royal and Provincial Charters, we find, that, among other great Privileges, King CHARLES II. granted to our late worthy Proprietary, "and " his Heirs, to his and their Deputies and Lieutenants, for the good and happy Go-" vernment of the ſaid Country, to ordain, make and enact, and under his and their " Seals to publiſh, any Laws whatſoever, for the raiſing of Money for public Uſes of " the ſaid Province, or for any other End appertaining either unto the Public State,

" Peace

1753. September 3.

" Peace or Safety of the ſaid Country, or unto the private Utility of particular Perſons, " according to their beſt Diſcretion, by and with the Advice, Aſſent and Approbation " of the Freemen of the ſaid Country, or the greater Part of them, or of their Dele- " gates or Deputies, whom, for the enacting of the ſaid Laws, when, and as often as " Need ſhall require, we will that the ſaid WILLIAM PENN, and his Heirs, ſhall aſ- " ſemble in ſuch Sort and Form as to him and them ſhall ſeem beſt, and the ſame " Laws duly to execute unto and upon all People within the ſaid Country and Limits " thereof; which Laws, ſo as aforeſaid to be publiſhed, our Pleaſure is, and ſo we en- " join, require and command ſhall be moſt abſolute and available in Law; and that " all the Liege People and Subjects of us, our Heirs and Succeſſors, do obſerve and " keep the ſame inviolably in thoſe Parts, ſo far as they concern them, under the Pain " therein expreſſed, or to be expreſſed; provided nevertheleſs, that the ſame Laws be " conſonant to Reaſon, and not repugnant, or contrary, but, as near as conveniently " may be, agreeable to the Laws and Statutes, and Rights of this our Kingdom of " *England*. And to the End that the ſaid WILLIAM PENN, or his Heirs, or other the " Planters, Owners or Inhabitants of the ſaid Province, may not, at any Time hereaf- " ter, by Miſconſtruction of the Power aforeſaid, through Inadvertency or Deſign, de- " part from that Faith and due Allegiance, which, by the Laws of this our Realm " of *England*, they and all our Subjects in our Dominions and Territories, always owe " to us, our Heirs and Succeſſors, by Colour of any Extent or Largeneſs of Powers " hereby given, or pretended to be given, or by Force or Colour of any Laws hereafter " to be made in the ſaid Province, by Virtue of any ſuch Powers: Our further Will " and Pleaſure is, that a Tranſcript or Duplicate of all Laws which ſhall be, ſo as afore- " ſaid, made and publiſhed within the ſaid Province, ſhall, within five Years after the " Making thereof, be tranſmitted and delivered to the Privy Council for the Time being, " of us, our Heirs and Succeſſors; and if any of the ſaid Laws, within the Space of " ſix Months after that they ſhall be ſo tranſmitted and delivered, be declared by us, " our Heirs and Succeſſors, in our or their Privy Council, inconſiſtent with the So- " vereignty or lawful Prerogative of us, our Heirs or Succeſſors, or contrary to the " Faith and Allegiance due to the legal Government of this Realm from the ſaid WIL- " LIAM PENN, or his Heirs, or of the Planters and Inhabitants of the ſaid Province; " and that thereupon any of the ſaid Laws ſhall be adjudged and declared to be void by " us, our Heirs and Succeſſors, under our or their Privy Seal, that then, and from " thenceforth, ſuch Laws concerning which ſuch Judgment and Declaration ſhall be " made, ſhall become void; otherwiſe the ſaid Laws ſo tranſmitted, ſhall remain and " ſtand in full Force, according to the true Intent and Meaning thereof." Under this Royal Grant, and our Provincial Charter, by which the Proprietary confirms them to the Freemen of this Province, we claim our Privileges. How far the Clauſe propoſed to be added to the Bill is deſtructive of thoſe Privileges, we leave to the Houſe to determine; and how far the Proprietaries may apprehend it injurious to their Rights, we preſume will appear by the Minutes of this Houſe, whilſt the Bill above-mentioned, for reſtraining Bills of Credit in the Plantations, was depending. That Bill, or one of the ſame Tenor nearly, was firſt framed in the Year 1744, again re-aſſumed in 1748, and at length rejected by the Juſtice of a *Britiſh* Parliament; but as it was brought into the Houſe, and for ſome Time ſupported by ſeveral Members of great Weight and Influence, the Fears of that Bill became very alarming, and this the Governor himſelf ſeems to have been very ſenſible of, in his Meſſage of the 16th of *October* 1749, in which he is pleaſed to ſay, " I take it for granted, we are all ſenſible of the miſchievous Ten- " dency of the Bill that was brought into Parliament the laſt Year, to regulate and re- " ſtrain Paper Bills of Credit in the Plantations (*in which there was a Clauſe to enforce* " *the Orders of the Crown in his* American *Dominions)* and it is not improbable that " ſomething of the ſame Kind may be offered in the enſuing Seſſion; I perſuade myſelf " you will think it convenient to give your Agent full Inſtructions upon this Subject, " in caſe it ſhould become neceſſary for him to oppoſe it; the Honourable Proprieta- " ries at that Time laboured indefatigably, and with Succeſs, to avert the Miſchiefs " that threatened this Province from the Paſſing of the ſaid Bill; and I have it in Com- " mand from them to aſſure you of their Aſſiſtance upon all future Occaſions, wherein " the Welfare and Happineſs of the People of this Province may be concerned."

Having thus conſidered the Clauſe, as founded upon an additional Inſtruction from the Lords Juſtices to Governor *Thomas*, near thirteen Years ago, and long before the Settling the States of the Bills of Credit in the *American* Plantations; and alſo laid before the Houſe ſo much of the Royal Charter as immediately concerns the propoſed Amendment: Your Committee beg Leave to add, that we have likewiſe examined the Laws of this Province, a conſiderable Number of which were enacted by Governor *Fletcher*, under the immediate Powers of the Crown, and are well aſſured, that there has never been one ſingle Inſtance of the paſſing of any Law under the Reſtrictions now

contended

contended for by the Governor, from the first Settlement of this Province to the present Time. All which is submitted to the Consideration of the House by 1753. September 3.

EVAN MORGAN, PETER WORRAL,
B. FRANKLIN, DAVID M'CONAUGHY,
HUGH ROBERTS, JOSEPH ARMSTRONG,
MAHLON KIRKBRIDE, MOSES STARR,
GEORGE ASHBRIDGE, JAMES BURNSIDES."

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Report of the Committee appointed to consider the Clause proposed by the Governor to be added to the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was again read; and, after a considerable Time spent in Consideration thereof, was unanimously approved and agreed to by the House. *September* 4.

And the said Clause being also read,

Resolved, That such a Clause would be destructive of the Liberties derived to the People of this Province by the Royal and Provincial Charters, as well as injurious to the Proprietaries Rights, and is without any Precedent in the Laws of this Province.

The Governor's Message of the Twenty-ninth of last Month, sent down with the Bill for striking *Twenty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being also read;

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride* and *George Ashbridge* be a Committee to prepare a Draught of a Message in Answer thereto, and report the same to the House this Afternoon.

Ordered, That the Clerk do go to the Secretary, and acquaint him, that the House require a Copy of the King's Approbation of the Act, intituled, *An Act for granting* Five Thousand Pounds *to the King's Use, out of the Bills of Credit now remaining in the Hands of the Trustees of the General Loan-Office, for exchanging torn and ragged Bills, and for striking the like Sum to replace in their Hands*, if any such there be.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, report, that they had made some Progress therein, but not having compleated the same, desired farther Time for that Purpose; *Post Meridiem*

To which the House agreed.

The Clerk acquainted the House, that the Secretary informed him, that he had no Copy of the King's Approbation of the Act, intituled, *An Act for granting* Five Thousand Pounds *to the King's Use, out of the Bills of Credit now remaining in the Hands of the Trustees of the General Loan-Office, for exchanging torn and ragged Bills, and for striking the like Sum to replace in their Hands*; and that he believed the said Act had never been transmitted.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by his Secretary, sent down to the House *Conrad Weiser's* Journal of his Journey to *Albany* and the *Mohocks* Country, together with sundry other Papers relating to *Indian* Affairs, which were read, and *Ordered to lie on the Table.* *September* 5.

The Secretary likewise acquainted the House, that the Governor had directed *Conrad Weiser* to attend the House, in case they should have any Questions to ask him.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, which was read, Paragraph by Paragraph, approved of, and ordered to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.* *Post Meridiem*

May it please the GOVERNOR,

UPON receiving a Message from the Governor of the Twenty-ninth of *August* last, with some few Amendments to the Bill for striking *Twenty Thousand Pounds*, to be added to the present Currency of this Province, which the Governor is pleased to acknowledge is not an exorbitant Sum, and to which Amendments he presumed we could have no Objection, we were in Hopes that the repeated Applications of this, and our preceding Assemblies, had induced him at length to give his Assent to the Bill upon such Terms as the House might comply with, consistent with their Honour, and the Trust reposed in them by their Constituents: But we are under the Necessity of assureing the Governor, the Clause proposed to be added to that Bill is so far from being free from Objections, that we apprehend it to be destructive of the Liberties granted to the People of this Province by the Royal and Provincial Charters, and injurious to the Proprietaries Rights; and as such we have unanimously resolved it upon the Re- A Message from the Assembly to the Governor.

1753. *September* 5. port of a Committee of this Houſe; to whoſe Care we had alſo recommended the Examination of our Laws, a conſiderable Nnmber of which were enacted under the immediate Powers of the Crown; and we are well aſſured, there has never been one ſingle Inſtance of the paſſing of any Law under the Reſtrictions now contended for by the Governor from the firſt Settlement of our Province to this Day. This has led us into an Enquiry, why ſo dangerous an Experiment ſhould be now preſſed upon us, as we conceive, without the leaſt apparent Neceſſity.

The Governor, it is true, has been pleaſed to inform us, that it is founded upon an Inſtruction from the Lords Juſtices to the late Governor; but we intreat he would conſider, how far an additional Inſtruction, dated in 1740, expreſly directed to a former Governor, and which in its own Nature appears temporary, and the Ends long ſince anſwered, can be binding upon him.

That though it was directed to a Governor of this Province, it neither did, nor could ſuit our Circumſtances either at that Time, or any other Time before or ſince; that it was temporary, and that the Ends propoſed by that Inſtruction have been anſwered, appear very clear to us when we conſider, that the effectual putting in Execution the Act of the Sixth of Queen ANNE, for aſcertaining the Rates of foreign Coins in *America*, the various and illegal Currencies introduced in ſeveral of the Colonies, the miſerable Defection from that Act, as well as the reſpective Acts by which ſuch Currencies were originally iſſued, the Diſcouragement it brought on the Commerce of *Great-Britain*, the Confuſion in Dealings, and the Leſſening of Credit in thoſe Parts, are the Foundations both of the Addreſs of the Houſe of Commons to the King, and in Purſuance of that Addreſs, of the additional Inſtruction, to which the Governor is pleaſed to refer.

That this could never ſuit our Province at any Period ſince the Emiſſion of our Bills of Credit, muſt be very apparent to the Governor himſelf, and is moſt clearly demonſtrable from the Dates of the Addreſs of the Houſe of Commons, and additional Inſtruction, with the Report of the Board of Trade, and Royal Aſſent to the Act for emitting the largeſt Sum of Bills of Credit that had ever been current amongſt us.

The Addreſs of the Houſe of Commons we find to be on the 25th of *April*, 1740, the additional Inſtruction on the 21ſt of *Auguſt* following, founded upon that Addreſs; and about the ſame Time, *to wit*, on the 16th Day of *April*, 1740, the Lords of Trade upon the Act *for the more effectual preſerving the Credit of our Paper Money*, &c. and the Act *for reprinting, exchanging and re-emitting all the Bills of Credit, and for ſtriking the further Sum of* Eleven Thouſand One Hundred *and* Ten Pounds Five Shillings, *&c.* report, " that as theſe Acts relate to Paper Money, they took the Senſe of the Mer- ' chants trading to that Province upon them, who were of Opinion, that they were not ' only reaſonable, but likewiſe neceſſary for carrying on the Commerce of that Country;" and in Purſuance of that Report, on the 12th Day of *May*, 1740, the King was graciouſly pleaſed to confirm thoſe Acts in a full Council.

If then the Governor will be pleaſed to compare the Dates of the Report of the Board of Trade with the Addreſs of the Houſe of Commons, the Confirmation of our Paper Money Acts, and the Lords Juſtices Inſtruction, we make no Doubt he muſt be ſenſible, that Bills of Credit, emitted in Virtue of Laws reported to be not only reaſonable, but the Sum itſelf ſo emitted neceſſary for carrying on the Commerce of the Country, cannot poſſibly agree with Bills of Credit illegally iſſued, by Means whereof the Trade of *Great-Britain* is diſcouraged, Confuſion in Dealings introduced, and all Credit leſſened; and in Conſequence the Inſtruction, or the Addreſs of the Houſe of Commons, could not poſſibly ſuit the Circumſtances of this Province at that Time.

To evidence this more clearly, if that can be, the Report of the Board of Trade to the Houſe of Commons the Twenty-firſt of *January*, 1740, ſets forth, that in Purſuance of the Addreſs abovementioned, on the Twenty-fifth of *April* preceding, his Majeſty had been pleaſed to direct them to prepare, in order to lay before the then Seſſions of Parliament, an Account of the Tenour and Amount of the Bills of Credit which had been iſſued in the ſeveral *Britiſh* Colonies, *&c.* Whereupon they did immediately ſend circular Letters to all the Governors of his Majeſty's Plantations in *America*, reciting the ſaid Addreſs, and directing them forthwith to prepare and tranſmit the ſeveral Accounts therein required, as by a Copy of one of the ſaid circular Letters, which they had thereunto annexed, would more fully appear; from whence it is unqueſtionably clear, that the Lords of Trade formed one circular Letter to be ſent through all the Colonies however differently circumſtanced; and this nearly in the Terms both of the Inſtruction of the Lords Juſtices, and of the Addreſs of that Honourable Houſe, on the 25th of *April* preceding; although at the ſame Time they acknowledge, that being deſtitute of proper Information, it could not be expected they ſhould be able to lay before the Houſe an adequate Remedy for the Evils complained of, and the rather becauſe the Circumſtances of the ſeveral Provinces being various and very different, each Province might require a diſtinct Conſideration. But they proceed to ſay, being deſirous as far as in them

them lay, to comply with the Intentions of the Houſe, they would humbly propoſe that his Majeſty would be graciouſly pleaſed to *repeat* his Orders to *his Governors* of the Plantations, not to give their Aſſent for the future to any Bill or Bills, for iſſuing or re-iſſuing of Paper Money in any of their reſpective Governments, without a Clauſe be inſerted in ſuch Act, declaring that the ſame ſhall not take Effect, until the ſaid Act ſhall be approved by his Majeſty; and then add, 'We hope theſe Propoſitions for reducing and 'diſcharging the Paper Currency in the Plantations, may have a good Effect in thoſe 'Governments which are held by immediate Commiſſion under his Majeſty, but we are 'very doubtful whether they will produce the like Effect in the Charter Governments, 'who do apprehend themſelves, by their particular Charters and Conſtitutions, to be 'very little dependant upon the Crown, and for that Reaſon ſeldom pay that Obedience 'to his Majeſty's Orders, which might reaſonably be expected from them."

1753. *September* 5.

That the Board of Trade ſhould conſider and report this to the Houſe of Commons as a doubtful Expedient; that a Bill to inforce the Orders and Inſtructions of the Crown in *America*, ſhould have been ſince repeatedly brought into the Houſe, and though ſupported by Members of great Weight and Influence, at length rejected by the Juſtice of a *Britiſh* Parliament; that the Governor himſelf ſhould have repreſented this very Bill to the Aſſembly of this Province as a Bill, he took for granted, they were all ſenſible to be of a miſchievous Tendency, and would give their Agent full Inſtructions to oppoſe, ſhould it become neceſſary; that the Honourable Proprietaries had laboured indefatigably, and with Succeſs, to avert the Miſchiefs threatened this Province from the paſſing of that Bill, and had it in Command from them to aſſure that Aſſembly of their Aſſiſtance upon all future Occaſions, wherein the Welfare and Happineſs of the People of this Province might be concerned; that this ſhould be ſo in the Year 1749, and nevertheleſs that the Governor ſhould be now pleaſed, without any apparent Neceſſity, to contend for the propoſed Amendment, we own we are at a Loſs to underſtand.

That the Inſtruction was deſigned as a temporary Expedient, we think will appear from the Report of the Board of Trade, on the Twenty-firſt of *January*, 1740, abovementioned, five Months after the Date of the additional Inſtruction from the Lords Juſtices; at which Time that Board had not received Returns in Anſwer to their circular Letters, from any of his Majeſty's Governors, on that Subject, except only from the Lieutenant Governor of *New-York*; in this Uncertainty, deſtitute, as they report, of proper Information, they propoſe that his Majeſty would be pleaſed to *repeat* his Orders to his Governors of Plantations, not to give their Aſſent to any Paper Money Bills for the future, without the Clauſe as above; but notwithſtanding this was addreſſed to the Houſe of Commons, at the next Seſſions after the Date of the additional Inſtruction to Governor *Thomas*, which had taken its Riſe from an Addreſs of that Honourable Houſe, in their preceding Seſſions, we cannot learn, and have good Reaſon to believe the Crown has never been pleaſed to repeat thoſe Orders, at leaſt to the Governors of this Province.

That the Ends propoſed by that additional Inſtruction have been anſwered by the full Examination of all the States of Bills of Credit in the *American* Plantations by the Parliament, and an Act in Purſuance of that Enquiry, paſſed in the Year 1751, appears clear to us from the Report of our Committee; and that, ſince the paſſing of that Act, we are left in the full Poſſeſſion of our Rights, in regard to a Paper Currency, we doubt not the Governor will concur with the Sentiments of this Houſe.

The Governor, long ſince the Date of that Inſtruction, has received a Commiſſion from our Proprietaries, with the Approbation of the Crown, and we hope and preſume, he is at full Liberty to paſs all our Acts upon the Terms granted us by the Royal and Provincial Charters; and as the additional Inſtruction, upon which the Governor has been pleaſed to ground his Amendment propoſed to our Bill, appears long ſince to have anſwered the Ends propoſed, we hope the Governor will think that neither himſelf or the Freemen of this Province are at this Time at all concerned therein, and will not put us under the diſagreeable Neceſſity of examining the Validity of that Inſtruction; but that he will be now pleaſed to comply with the general Voice of the People, and the repeated unanimous Applications of their Repreſentatives, in granting them, and the Trade of this Province, this reaſonable Relief, by giving his Aſſent to the Bill as it now ſtands."

And the Meſſage being ſigned by the Speaker by Order of the Houſe;

Ordered, That *Richard Walker* and *James Burnſides* wait upon the Governor, and deliver the ſame, together with the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *September* 6.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, and the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province,

1753. *September* 6. Province, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would take the ſame into Conſideration, and return an Anſwer to the Houſe, if he found it required one.

The Committee appointed to audit and ſettle the public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members.

Ordered, That *William Hoge* have Leave to be abſent the Remainder of this Sitting, upon an extraordinary Occaſion.

The Meſſage from the Governor, on *Indian* Affairs, was again read, and conſidered, and referred to further Conſideration.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

Ordered, That the Clerk do acquaint *Conrad Weiſer*, that the Houſe require his Attendance To-morrow Morning.

Ordered, That the Clerk do make out a Liſt of thoſe Matters that were referred to the Conſideration of this Sitting of Aſſembly, and lay it before the Houſe To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 7. *Conrad Weiſer* is excuſed attending this Houſe on Account of his ill State of Health.

The Clerk, according to Order, laid before the Houſe a Liſt of the ſeveral Things referred to this Sitting of Aſſembly.

A Petition from *Joſeph Redman*, Collector of the Exciſe for the City and County of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that at the Time of his coming to the ſaid Office, there was delivered to him, by the Provincial Treaſurer, a Liſt of outſtanding Debts, due to the former Collector, amounting to *Eight Hundred* and *Thirty-two Pounds*; that the Petitioner hath collected thereof *Six Hundred* and *Seventy-five Pounds*; in the doing of which he has been at a great deal of Trouble and Expence, as the ſaid Debts were ſmall, and lay in many Perſons Hands, throughout the whole County; that he humbly conceives the uſual Commiſſion of *Five per Cent*, to be by no Means an adequate Compenſation for the ſame: Therefore he prays this Houſe would allow him ſuch further Sum for his ſaid Trouble and Expence as they in their Wiſdom ſhall think moſt meet.

Ordered, That the ſaid Petition be referred to the Committee of Accounts, who are to report what they think neceſſary to be done therein by the Houſe.

It being certified to this Houſe, that one *Patrick Kearn*, of *Kent* County in *Maryland*, had apprehended, and delivered to Juſtice, one of the Perſons, ſince executed for the Murder of *Eleanor Davis*;

Ordered, That the Sum of *Fifty Pounds*, as voted by the laſt Aſſembly for the Apprehending and Securing any one of the ſaid Murderers, be paid into the Hands of *Benjamin Franklin*, one of the Members of this Houſe, he being impowered by a Letter of Attorney to receive the ſame.

Ordered, That the Bill for the better regulating of Vendues;

The Bill for laying a Tax on Dogs, kept within the City of *Philadelphia*, and the Townſhips of the *Northern Liberties*, *Paſſyunk* and *Moyamenſing*, and for the better Support of the Poor within the ſaid City and Townſhips;

The Bill to prevent the Exportation of Wheat, Indian Corn, Flaxſeed, and other Grain, and of Shingles, Staves, Heading, Boards and Timber, not merchantable; and to appoint an Officer to meaſure Salt imported into this Province; and

The Petition againſt Gaming and Gaming Houſes; which were all referred to the Conſideration of this Houſe, be recommended to the Conſideration of the next ſucceeding Aſſembly.

The Petition from *Bucks* County, relating to the holding of Supreme Courts in *Philadelphia* County, was read, and referred to the Conſideration of the next ſucceeding Aſſembly.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, ſent down the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a written Meſſage, as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'WHEN I ſent down the Bill for ſtriking *Twenty Thouſand Pounds*, to be made 'current and emitted on Loan, and for re-emitting and continuing the Currency 'of the Bills of Credit of this Province, I had not the leaſt Apprehenſion that the 'Amendments by me propoſed could have rendered it conſiſtent with the Honour of the 'Houſe, or of the Truſt repoſed in them by their Conſtituents, to have accepted it; 'eſpecially as, on inſpecting the Journals of your Houſe of the Year 1746, I find, that 'when the ſame Inſtruction, in a Caſe of the like Kind, was then urged upon the Aſ-

'ſembly

1753. September 7.

'ſembly by the late Governor, they were ſo far from diſputing, that they appear clearly to have admitted the Validity of it in *ordinary Caſes*, and, at that Time, only *hoped* the then Governor, on re-conſidering the Royal Inſtruction, might think himſelf at Liberty to give his Aſſent to a Bill for ſtriking a further Sum of Money in Bills of Credit *when any extraordinary Emergency required it*. Hence it ſeems plain, that they did not then think his Majeſty's Inſtruction, founded on an Addreſs of the Houſe of Commons, either illegal or temporary, or *that it was deſtructive of the Liberties granted to the People of this Province*; otherwiſe, in Duty to their Conſtituents, they would undoubtedly have repreſented it in the Light you now do. If theſe then were the Sentiments of both Governor and Aſſembly at that Time, and if they would not venture upon an Emiſſion even of ſo ſmall a Sum as *Five Thouſand Pounds*, in a Caſe of ſo real Emergency as the Expedition againſt *Canada*, without immediately providing to ſink it by a Tax in a ſhort Space of Time, to what Purpoſe is it inſinuated, as if I was the firſt to preſs ſo dangerous an Experiment, without the leaſt apparent Neceſſity; when, in the Courſe of your Enquiries upon this Subject, the Tranſaction of the Year 1746 muſt needs have been well known to you?

'That there has not been an Inſtance of paſſing any Law in this Province under the Reſtrictions contained in the Amendment, may be very true; but I cannot think any Thing further is to be inferred from thence, than that no ſuch Inſtruction was ever ſent to the Governors of this Province before the Year 1740; otherwiſe, it is reaſonable to conclude, they would have paid the ſame dutiful Obedience to it as was done by your late Governor: Nor perhaps is a reſtraining Inſtruction ſo neceſſary upon any other Occaſion as in the Buſineſs of Money; over which the King having peculiar Prerogatives, may well think himſelf intitled to claim the Superintendance.

'I confeſs myſelf at a Loſs to conceive, how an Inſtruction, directed to a particular Governor by Name, or to the Commander in Chief of the ſame Province for the Time being, can be deemed to bind that particular Governor only, and not his Succeſſor; ſince, by that Way of Reaſoning, it is poſſible the King's Inſtructions, however neceſſary, urgent and well founded, might be altogether fruſtrated by the Death or Removal of the particular Perſon to whom they are by Name directed. I am perſuaded, that, upon Recollection, you cannot think there is much Weight in this Argument. And as to its being temporary in its own Nature, I am far from thinking that to be the Caſe, either from the Face of the Inſtruction, in which no Limitation of Time is expreſſed, or from your Reaſoning upon that Head. The ſeveral Reports, Addreſs and Royal Aſſent (except that of the 21ſt of *January*, 1740, in which the Charter Governments are mentioned not much to their Advantage) referred to in your Meſſage, though not ſet forth in their Order of Time, are all of them prior to the Royal Inſtruction; from whence it is natural to conclude, that although his Majeſty, upon the Report of the Lords of Trade, in our Favour, was graciouſly pleaſed to indulge us with the Sum of *Eighty Thouſand Pounds*, as being a juſt Medium at that Time; yet being made acquainted with the Abuſes that had crept into ſome other of his Colonies by immoderate Quantities of Paper Money, and apprehending we might poſſibly run into the ſame Exceſs, iſſued this Inſtruction, with a View to reſtrain us from injuring ourſelves and the *Engliſh* Merchants by unneceſſary Emiſſions of Bills of Credit: Nor is it to be doubted, that if you can make it appear to his Majeſty's Miniſtry, that an Addition to your Currency would, at this Time, be of Service to the Province, the ſame Royal Favour will be again extended to you as was upon your laſt Application.

'You are pleaſed to acquaint me, that you are at a Loſs to underſtand why I, who, in the Year 1749, re-preſented a Bill, then depending in the Houſe of Commons, for inforcing the Orders and the Inſtructions of the Crown in *America*, to be of miſchievous Tendency, ſhould now, without any apparent Neceſſity, contend for the propoſed Amendment. In Anſwer to which, I now inform you, that I am ſtill of the ſame Opinion, with regard to that Bill, as at the Time you mention: But ſurely a very moderate Share of Penetration is ſufficient to diſtinguiſh between an Act to inforce all Orders and Inſtructions of the Crown, of whatever Nature, and a Royal Inſtruction, founded on an Addreſs of Parliament, that only relates to one particular Point, in which his Majeſty's Prerogative may be ſuppoſed to be concerned, and which, beſides, is plainly calculated to do Juſtice between Man and Man; and you will certainly allow me to judge for myſelf, of the Neceſſity I am under of paying Obedience to the King's Inſtruction, when a Diſregard of it is threatened with his Majeſty's higheſt Diſpleaſure.

'I do not by any Means blame you, Gentlemen, for contending for what you are perſuaded are your Rights and Privileges; and conſequently can have no Objection to your examining the Validity of the King's Inſtruction. One Precaution, however, I think it my Duty to lay before you, though I hope it is not neceſſary, that in the Courſe of this Examination, you will proceed with ſuch Temper and Moderation,

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'that you may give the World no Room to repeat the Charge made againſt this Province among others, by the Lords of Trade, of *its apprehending itſelf to be very little dependant on the Crown, or of its not paying a reaſonable Obedience to his Majeſty's Orders.*

'Upon the Whole, I am ſincerely of Opinion, that the Royal Inſtruction is of the ſame Force at preſent as when the late Governor told the Aſſembly, in 1746, *that he could not bring himſelf to ſuch a Pitch of Boldneſs as to contravene it*; of which Opinion that Aſſembly ſeems alſo to have been, by their not having diſputed either the Validity of the Inſtruction, or the Continuance of its Operation. Why, therefore, an Inſtruction, allowed to be in Force in the Year 1746, and ſtill unrevoked, ſhould now be deemed to be of no Effect, though the State of our Paper Currency has not ſuffered the leaſt Alteration ſince that Time, is, what I own, I cannot comprehend; nor can I bring myſelf to think, that I may be ever freed from the Obligation of paying a ſtrict Obedience to it until the ſame ſhall be revoked, or that I may be otherwiſe diſcharged from it by his Majeſty's Authority.

'I have given both the People of this Province and their Repreſentatives too many Proofs of my Regard for their Liberties and Privileges, to have it ſuſpected that I am capable of entering into a Scheme to deprive them of either: Nor ſhall I ever ceaſe to do them all the Service in my Power, conſiſtent with the Duty I owe to his Majeſty, and the Rights of the honourable Gentlemen whoſe Commiſſion I have the Honour to bear.

September 7, 1753. *JAMES HAMILTON.*"

And the ſaid Meſſage being read, the Queſtion was put, whether the Clauſe propoſed by the Governor ſhall be added to the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province? *Paſt in the Negative unanimouſly.*

Ordered, That *Evan Morgan*, *Joſhua Morris*, *Benjamin Franklin*, *Hugh Roberts*, *Mahlon Kirkbride*, *Richard Walker*, *George Aſhbridge*, *James Wright*, *John Wright*, *David M'Connaughy*, *John Armſtrong*, *Moſes Starr* and *James Burnſides* be a Committee to conſider the Governor's Meſſage, and report thereon to the Houſe To-morrow Morning.

Adjournment *September* 8.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to conſider the Governor's Meſſage, and report thereon to the Houſe, reported, that they had made ſome Progreſs therein, but not having finiſhed the ſame, they deſired that further Time might be allowed them for that Purpoſe.

To which the Houſe aſſented.

Adjournment *September* 10.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The Houſe met, according to their Adjournment.

The Committee appointed to conſider the Governor's Meſſage of the 7th Inſtant, report, that they had made ſome further Progreſs therein, and ſhould be ready to report to the Houſe To-morrow Morning.

Adjournment *September* 11.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to conſider the Governor's Meſſage of the 7th Inſtant, made their Report in Writing, which is as follows, *viz.*

Report from the Committe on the Bill for ſtriking *Twenty Thouſand Pounds*.

AS the Governor has been pleaſed to return the Bill for ſtriking *Twenty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, in a Manner which denies any further Acceſs to him on that Head, except on the Alternative of accepting the additional Clauſe propoſed to be added to that Bill; and as that Clauſe, upon the Vote of the Houſe, has been unanimouſly rejected, we have now no other Method to ſecure ourſelves from future Inſinuations of being unfaithful to the high Truſt repoſed in us by our Conſtituents, but by leaving our Sentiments of the Governor's Amendment and Meſſage on our Minutes, in the cleareſt Manner we are able.

In Obedience therefore to the Orders of the Houſe, we have conſidered the Governor's Meſſage of the ſeventh Inſtant, ſent down with the Bill, and have likewiſe reconſidered the Votes of this Houſe, to which the Governor is pleaſed to refer, as a Proof that the Governor and Aſſembly in the Year 1746 thought the Lords Juſtices additional Inſtruction, upon which the ſaid Clauſe is founded, was neither illegal or temporary, or deſtructive of the Liberties granted to the People of this Province.

The Governor is pleaſed to ſay, it appears to him the then Aſſembly have clearly admitted the Validity of that Inſtruction, in ordinary Caſes, and that they only hoped the Governor, on re-conſidering the Royal Inſtruction, might think himſelf at Liberty to give his Aſſent to a Bill for a further Sum of Money in Bills of Credit, when an extraordinary Emergency required it. And yet, notwithſtanding the Governor's private Sentiments, it appears clear to us, that both the then Governor, and the Houſe too, agreed in the eſſential Point, that the additional Inſtruction of the Lords Juſtices was

not

not binding upon neither of them; for it is beyond all Contradiction, that although Governor *Thomas* had sent down that Instruction to a former Assembly, and had again mentioned it at that Time, yet he gave his Assent to the Bill for granting *Five Thousand Pounds* for the King's Use, and the Money was raised, as we apprehend, in direct Opposition to the Instruction, which expressly enjoins the Governor, 'and he is thereby 'required, upon Pain of his Majesty's highest Displeasure, not to give his Assent to, or 'pass any Act whereby Bills of Credit may be issued in Lieu of Money, without a Clause 'be inserted in such Act, declaring that the same shall not take Effect until the said Act 'shall be approved by his Majesty, his Heirs, or Successors;" without the least Distinction between ordinary and extraordinary Cases; and if the Assembly made Use of those Distinctions to induce the Governor to think himself at Liberty to pass that Bill, and in Effect did convince him that the Instruction was not to be submitted to upon its own Terms, we must own he had a greater Regard to the Sentiments of that Assembly, than we have any Reason to believe our Governor has to the repeated Requests of this House. And we have no Reason to doubt, if we could prevail upon our Governor to give his Assent to our Paper Money Bill, this House would as readily assure him, they hoped he might think himself at Liberty to pass that Bill, and all other Bills presented to him by the Representatives of the Freemen of this Province, not only upon extraordinary Emergencies, but in all ordinary Cases too, without the least Apprehensions of his Majesty's Displeasure, so far as those Laws were consistent with the Royal Charter. 1753. September 11.

The Governor proceeds, 'that there has not been an Instance of passing any Law in 'this Province under the Restrictions contained in the Amendment, may be very true; 'but he cannot think any Thing further can be inferred from thence, than that 'no such Instruction was ever sent to the Governors of this Province before the 'Year 1740, otherwise it is reasonable to conclude they would have paid the same du-'tiful Obedience to it, as was done by your late Governor." Your Committee are at some Loss upon this Paragraph, whether they ought to produce other and older Instructions than the Year 1740, lest the Governor should think himself obliged to pay a strict Obedience to these also; but as they are already printed in your Votes, which must now soon appear, and the House probably will not order them to be erased, we shall only say, that there was an additional Instruction by the Lords Justices to Governor *Keith*, dated the 23d of *July*, 1723, without any Limitation of Time (and we do not think it necessary to search for any more of them) the Original of which we presume must be in the Governor's Possession, commanding him, among other Matters, in these Words, 'you 'are to take Care, that for the future you do not pass any private Act, without a Clause 'inserted therein, suspending the Execution of such Act until his Majesty's Royal Ap-'probation shall be had thereof;" which notwithstanding the Governor neither does, and we hope never will think himself obliged to observe.

Having now taken it for granted the Instruction was allowed by the Governor and Assembly to be valid, without Limitation of Time, in the Year 1746, the Governor is pleased to say, 'why then an Instruction allowed to be in Force in 1746, and still un-'revoked, should be deemed to be of no Effect, though the State of our Paper Cur-'rency has not suffered the least Alteration since that Time, is what he cannot com-'prehend."

It is our Misfortune that the Governor has been pleased to keep our Bill, the only Bill of this Year, to this our last Session, without the least Intimation that he apprehended himself at all concerned or bound by an additional Instruction to Governor *Thomas*, in the Year 1740, and now so suddenly to foreclose us from any further Messages or Conferences on a Bill of so much Importance; otherwise we cannot doubt he must have been made sensible, that the State of our Paper Currency (and our Trade too) has suffered a very considerable Alteration within the Period the Governor is pleased to mention.

That the States of all the Paper Currencies in *America* at, and since, that Time, under a Parliamentary Enquiry, have been since carefully examined by the House of Commons, appears by their Votes; and that the Sum current among us has likewise suffered an Alteration, and a Diminution, is consistent with our own Knowledge, who have now sunk *One Thousand Pounds*, besides the *Fifteen Hundred Pounds* sunk by former Assemblies, in Discharge of so much of the *Five Thousand Pounds* granted to the King's Use by the very Act to which the Governor refers.

But the Governor, unhappily for us, 'is sincerely of Opinion, that the Royal In-'struction is of the same Force at present as it was in the Year 1746, and that he can-'not bring himself to think that he can ever be freed from the Obligation of paying a 'strict Obedience to it, until the same shall be revoked, or that he may be otherwise 'discharged from it by his Majesty's Authority." Unfortunate *Pennsylvania*, under such Sentiments! If the King should judge all the Purposes of that Instruction answered, upon passing the Paper Money Act, laid before him by his Parliament in 1751, we must nevertheless for ever continue under the Burden of it, without Redress: And if we should

suppose

1753. September 11. ſuppoſe the Governor is reſtricted by the Proprietaries from giving his Aſſent to the Emiſſion of any further Sum in Bills of Credit, as we have very little Reaſon to doubt, if then the Proprietaries ſhould be pleaſed to withdraw that Reſtriction, and leave him at Liberty to paſs all our Acts upon the Terms granted us by our Charters, what will this avail, if the Governor continues to think he can never be freed from the Obligation of paying a ſtrict Obedience to this additional Inſtruction?

Under theſe Circumſtances how muſt the Proprietaries, or Freemen of this Province, conduct themſelves to the Satisfaction of the Governor, in order to be once more reſtored to the Rights granted to the Proprietaries and People of this Province by the Royal and Provincial Charters? That the Proprietaries may have ſome Influence over him, is not improbable; but how far the good People, or their Repreſentatives, may expect to have any, on this, or any other Occaſion, we fear is too evident.

The Governor is pleaſed to ſay, in Anſwer to our Meſſage of the 5th Inſtant, upon the miſchievous Tendency of the Bill brought into Parliament in 1749, 'that he is 'ſtill of the ſame Opinion with regard to that Bill, but thinks a moderate Share of Pene-'tration is ſufficient to diſtinguiſh between an Act to inforce all Orders and Inſtructions 'of the Crown of whatever Nature, and a Royal Inſtruction, founded on an Addreſs of 'the Parliament, that only relates to one particular Point, in which his Majeſty's Pre-'rogative may be ſuppoſed to be concerned, and beſides is plainly calculated to do Juſtice 'between Man and Man; and we muſt certainly allow him to be Judge of the Neceſſity 'he is under of paying Obedience to the King's Inſtruction, when a Diſregard of it is 'threatened with his Majeſty's higheſt Diſpleaſure."

Upon which your Committee beg Leave to remark: They apprehend all Royal Orders and Inſtructions ſubject the Governors to whom they are directed, and their Succeſſors too, as the Governor is pleaſed to inform us, to the Royal Diſpleaſure, unleſs ſuch Inſtructions are revoked by his Majeſty's Authority; and yet we cannot find that Governor *Keith*, to whom it was directed, or Governor *Gordon*, his Succeſſor, or Governor *Thomas*, or our preſent Governor, have ever thought themſelves under any Danger of incurring his Majeſty's Diſpleaſure for a total Neglect, and direct Diſobedience to the additional Inſtruction of the Lords Juſtices in 1723, the Original of which we make no Doubt, as well as of the Inſtruction of 1740, is in the Governor's Poſſeſſion; and the Subſtance of both we know to be printed with the Minutes of our Houſe; 'why then 'an Inſtruction, allowed to be in Force in 1723, and ſtill unrevoked, ſhould be of no 'Effect," and an additional Inſtruction of the Lords Juſtices in 1740, poſſibly revoked by the Conduct of the ſucceeding Seſſions of the ſame Parliament, upon whoſe Addreſs to his Majeſty that Inſtruction was founded, ſhould be ſo *ſtrictly* binding, 'is what we 'cannot apprehend."

But the Governor is pleaſed to ſay, 'we muſt certainly allow him to be Judge of the 'Neceſſity he is under of paying Obedience to the King's Inſtruction, when a Diſregard 'of it is threatened with his Majeſty's higheſt Diſpleaſure."

If then the Governor, when he takes it for granted that we muſt certainly leave him to judge for himſelf in this Caſe, is intended to mean, 'that he cannot bring himſelf 'to think that he can ever be freed from the Obligation of paying a ſtrict Obedience to '*all* Royal Inſtructions, until the ſame ſhall be revoked, or that he may be otherwiſe 'diſcharged from them by his Majeſty's Authority;" why then has he ſo totally diſregarded the Lords Juſtices additional Inſtruction of 1723.

Or if the Governor means, we muſt certainly leave him to judge of the Neceſſity of remembering or not remembering the Royal Inſtructions, as the one or the other may ſuit the Purpoſes of the Governor, to whom they are directed, or ſuch of his Succeſſors as may claim a Protection under them: How is this to be reconciled with the great Regard the Governor is pleaſed to declare he has to the Liberties and Privileges of the People?

Again, if he means Royal Inſtructions, if unknown to him, though poſſeſſed of the Originals, are not binding, and cannot be attended with any Danger of his Majeſty's Diſpleaſure, why had he not been pleaſed to forget the Inſtruction of 1740, as well as the Inſtruction of 1723, ſince there appears no greater Danger, as far as we know, from a Diſregard of the one than of the other?

But if the Liberty the Governor contends for can mean that we muſt allow him to judge for himſelf, how far he may or may not obey ſuch Royal Inſtructions, at his own Riſk (as his Majeſty's higheſt Diſpleaſure is threatened againſt him particularly) and at his own Pleaſure too, then we muſt own we are at a Loſs to diſtinguiſh any great Difference between the miſchievous Tendency of an Act to inforce all Orders and Inſtructions of the Crown whatever, and the Neceſſity the Governor is pleaſed to think we are under to allow him the Power of inforcing them whenever he ſhall think fit; with this Preference, however, that we would far rather chuſe to ſubmit ourſelves, and our Cauſe, to the King, and the Juſtice of a *Britiſh* Parliament, than to the mere Will of our Governor, whether to inforce or diſregard them, however they may have anſwered

their

1753. *September* 11.

their Ends, or otherwiſe abated of their Force. And in the preſent Caſe, we hope the Governor, on Reflection, will pay ſome Regard to the Judgment of the ſame Parliament, from which the Addreſs to the Crown had been preferred to iſſue this additional Inſtruction, who, although requeſted in their next Seſſion, by the Board of Trade, to addreſs the Crown again, that he would be pleaſed to repeat his Inſtructions to the Governors in his *American* Colonies, have not only never complied therewith, that we know of, but have ſince paſſed an Act for reſtraining the iſſuing the Bills of Credit in thoſe particular Colonies, where, after a full Enquiry, they found ſuch Emiſſions injurious to the Trade of *Great Britain*, or not calculated to do Juſtice between Man and Man, and have left us, as we preſume, exonerated from the Burden of this additional Inſtruction, and in full Power over our Laws, upon the Terms of our Charters; and ſo long as we aſk nothing farther than is warranted by theſe, we hope it neither will nor can interfere with the Royal Prerogatives.

It may be preſumed the Repreſentatives of this Province, when met in their Aſſemblies, have ſome valuable Privileges yet left, in framing their Laws, to do Juſtice between Man and Man, without the Aid of an additional Inſtruction; and we hope it cannot be expected that we ſhould very eaſily part with thoſe Rights, and depend on Royal Inſtructions, over which we are to allow the Governor the Power he is pleaſed to contend for; and we have no Reaſon to doubt, all Men of Underſtanding and Candour will prefer a regular Courſe of Laws, occaſionally ſuited to the Times, and framed by the Repreſentatives of the People annually choſen, and aſſented to by their Governor, to a Series of Inſtructions ſent for that Purpoſe from ſo great a Diſtance.

For our own Part, we are fully ſatisfied and aſſured, that ſo long as we continue in our Duty and Loyalty to the beſt of Kings, who has been pleaſed to declare, "*That nothing in this World can give him ſo much Pleaſure as to ſee (his Subjects) a flouriſhing and happy People*;" and neither claim nor deſire other or greater Privileges than thoſe we have a Right to, under the Grant of his Royal Predeceſſors, we can have nothing to fear from the King or a *Britiſh* Parliament: And as it is our Duty to defend theſe in the beſt Manner we are able, in the faithful Diſcharge of ſo high a Truſt, we ſhall have the Satisfaction of our own Minds, and, we hope, the Countenance of all good Men, notwithſtanding the Governor's Opinion, that the Charge made againſt this Province (among other Charter Provinces) by the Board of Trade, is not much to our Advantage.

Upon the Whole, your Committee beg Leave to add, they apprehend it muſt be not only a Loſs of Time to the Repreſentatives, but a great Expence to the Country, to prepare Bills for the Governor's Aſſent, if he ſhould be bound by private Inſtructions from our Proprietaries, and 'ſhould not be able to bring himſelf to think he could ever 'be freed from the Obligation of paying a ſtrict Obedience to theſe Inſtructions until 'the ſame ſhould be revoked." That there are ſuch Obligations or Inſtructions which may poſſibly have ſome Weight in the preſent Diſpute, as well as the additional Inſtruction of 1740, your Committee have good Reaſon to believe: In Order therefore to do Juſtice to our Governor, as well as our Conſtituents, and to ſave all unneceſſary Expence, and Loſs of Time to both, we ſubmit to the Conſideration of the Houſe, how far they may judge it neceſſary to recommend this Enquiry to the ſucceeding Aſſembly.

Submitted to the Correction of the Houſe by

EVAN MORGAN,
JOSHUA MORRIS,
BENJ. FRANKLIN,
HUGH ROBERTS,
MAHLON KIRKBRIDE,
GEORGE ASHBRIDGE,
JAMES WRIGHT,
JOHN WRIGHT,
JOHN ARMSTRONG
MOSES STARR,
JAMES BURNSIDES."

And the ſaid Report being read, was unanimouſly approved of, and recommended to the Conſideration of the next ſucceeding Aſſembly.

Reſolved, That *Mahlon Kirkbride* be one of the Truſtees of the General Loan-Office, in the Room of *Abraham Chapman*, who is now diſabled from acting in ſaid Office.

The Petition from the United Brethren at *Bethlehem* was read, and referred to the Conſideration of the next ſucceeding Aſſembly.

The Petition from *James Read* was read, and recommended to the Conſideration of the next ſucceeding Aſſembly.

Reſolved, That this Houſe will this Day adjourn to the Thirtieth Day of *September* next.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Committee appointed to conſider the Repreſentation of the Aſſembly in 1751 to the Proprietaries, and the Proprietaries Anſwer there to, made their Report in Writeing, which was read, unanimouſly approved of, and ordered to be depoſited among the other Papers belonging to this Houſe. *Poſt Meridiem*

Ordered, That *Joſhua Morris* and *Peter Worral* wait upon the Governor, and preſent

1753. September 11. ſent him the Thanks of the Houſe for his great Care in *Indian* Affairs; and further, that they acquaint the Governor with the propoſed Time of Adjournment.

The Houſe being informed that the ſecond Volume of the old Votes was nearly finiſhed;

Reſolved, That on Receipt of Fifty of the ſaid Volumes bound, the Speaker be impowered to iſſue an Order under his Hand, drawn on the Treaſurer, for the Payment of ſo much Money as they ſhall amount to, at the ſame Rate for Printing and Binding as was allowed for the firſt Volume.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return and report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment.

The Committee of Accounts, to whom *Joſeph Redman's* Petition was referred, reported, that they were of Opinion, that, in Conſideration of his extraordinary Trouble in recovering the outſtanding Debts of the late Collector, he ought to be allowed the additional Commiſſions of *Five per Cent* for collecting the ſame.

Reſolved, That the ſaid *Joſeph Redman* be allowed, in his future Settlements with the Committees of public Accounts, *Ten per Cent* on all Monies collected by him of the outſtanding Debts of the late Collector of the Exciſe for the City and County of *Philadelphia*.

Reſolved, That every Member, now in the Houſe, who hath not already been ſupplied, be intitled to one Copy each, of the firſt Volume of the Minutes of Aſſembly now printing.

The Report of the Committee of Public Accounts was approved of, and allowed by the Houſe, and follows in theſe Words, *viz.*

WE, *the* COMMITTEE *appointed by the Aſſembly of the Province of* Pennſylvania, *to audit and ſettle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts; to ſink and deſtroy the Bills of Credit, received in Exchange, purſuant to the late Paper-Money Acts; and to count all the Money, and report what Sum we ſhould actually find in the Truſtees Hands*, REPORT,

Report of the Committee appointed to ſettle the Accounts of the General Loan Office.

THAT on the 30th of the Seventh Month we counted the Money in the Hands of the Truſtees of the Loan-Office, and found the Sum of — — — £ 6209 10 10

THAT upon a ſtrict Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Aſſembly for emitting Paper Bills, and now remaining in the Loan-Office undiſcharged,

We find there are principal Sums or Quotas thereon to become due (after the 30th of the Seventh Month laſt) and payable to the Truſtees, the Sum of — £ 51,347 17 6

Deduct for a Loſs on Abraham Solomon's Mortgage on the ſecond Re-emiſſion of the ſecond £ 80,000 — 40 0 0

Makes all the Quotas to become due, — £ 51,307 17 6

That the Quotas outſtanding, and then due on all the Mortgage Deeds in the ſaid Office, amounted to — 17,311 10 0

Deduct for a Loſs on Abraham Solomon's Mortgage, — 6 0 0

Makes all the Outſtandings, — £ 17,305 10 0

That it appears by a Liſt of 125 Mortgages, taken on the ſixth Remiſſion of the ſecond £ 80,000 Act, there has been lent out thereon, the Sum of — — — 8,552 10 0

And by a Liſt of 28 Mortgages, taken on the ſeventh Re-emiſſion of the ſame Act, the Sum of — — — 1,917 0 0

— £ 79,082 17 6

That ſeveral Sums lent the City of Philadelphia are not yet repaid, viz.

The Balance of the firſt Sum lent the ſaid City — 156 0 0

The Balance of the Sum lent the ſaid City for building Alms-Houſes, — — — 187 10 0

— £ 343 10 0

£ 79,426 7 6

Balance in the Hands of the Truſtees, — 573 12 6

— £ 80,000 0 0

THAT the Truſtees, on Account of Intereſt, are Charged with the Balance due to the Province at the laſt Settlement in 1752, — £ 2,008 1 1¾

And with the Intereſt outſtanding on all the Mortgage Deeds at the laſt Settlement, — — 7,159 4 3½

To the Intereſt ariſing on all the Mortgage Deeds for the current Year, — 3,150 15 4

To the broken Intereſt received ſince laſt Settlement, — — 1,243 2 8

— £ 13,561 3 5¼

THAT the Truſtees have Credit for the Intereſt, which, upon a careful Examination of the Indorſements upon all the Mortgage Deeds in the Office, appears to have been outſtanding and due on the 30th of the Seventh Month laſt, amounting to — £ 7,698 5 3

Deduct for a Loſs on Abraham Solomon's Mortgage on the ſecond Re-emiſſion of the ſecond £ 80,000, — — 10 0 8

Makes the true Intereſt outſtanding, — — £ 7,688 4 7

By Caſh paid ſundry Orders for Aſſembly Men's Wages, the Whole — 506 3 0

Carried over, £ 8,194 7 7

Caſh

1753. September 11.

Brought forward,			£ 8,194	7	7
Cash paid the Superintendants of the State-house, at several Times,			700	0	0
Ditto paid Lynford Lardner for the Proprietaries,			130	0	0
Ditto paid Samuel Kirk, for Wood, &c.			14	1	9
Ditto paid Charles Brockden, on Account,			80	0	0
Ditto paid Isaac Norris, to purchase Books for the Use of the Assembly,			850	0	0
Ditto paid Arthur Buchannan, per Order of the Speaker,			10	0	0
Ditto paid Pass and Stow for re-casting the Bell, per Order of the Superintendants of the State-house,			60	13	5
By one Year's Salary of the Trustees of the Loan-Office,			500	0	0
By Cash paid the Treasurer of the Pennsylvania Hospital, per Order,			1,000	0	0
By Allowance per Law for exchanging £ 2,366 3 9, at 55s. per Thousand,			6	9	6
By a Loss on Abraham Solomon's Mortgage, for Quota Account,	£ 46	0 0			
And for Interest Account,	10	0 8			
			56	0	8
		£	11,601	12	11
Balance due to the Province			1,959	10	6¼
				£ 13,561	3 5¼

WE do likewise Report, that we have examined the Provincial Treasurer's Account, and find,

That he Credits the Province for Balance due at the last Settlement in the Sixth Month, 1752,	£	509	5	3
And by Cash received of Joseph Redman, Collector of the Excise for the City and County of Philadelphia,		2,101	9	0
By Ditto of John Woolston, Collector of Bucks,		232	0	0
By Ditto of Jeremiah Starr, Collector of Chester,		450	14	2
By Ditto of Arthur Patterson, Collector of Lancaster,		458	6	3
By Ditto of David M'Connaughy, Collector of York,		75	15	6
By Ditto of James Lindsay, Collector of Cumberland,		37	8	0
By Ditto of John Hughes, Collector of Berks,		320	5	10
By Ditto of Daniel Craig, Collector of Northampton,		97	8	10
			£ 4,282	12 10

That he Charges the Province with sundry Sums paid in Pursuance of the Votes or Orders of the House, viz.

John Kelton, per Order,	5	0	6
Charles Brockden, for recording and copying sundry Acts of Assembly, per Order,	4	17	11
Samuel Kirk, per Order,	8	0	0
Benjamin Franklin, per Order,	251	10	0
Ditto, per ditto,	34	1	6
Ditto, per ditto,	6	12	0
William Franklin, per ditto	61	18	6
Ditto, per ditto,	14	8	0
Edward Kelly, per ditto,	10	5	1
Charles Stow, per ditto,	2	0	0
Isaac Norris, per ditto,	60	0	0
Ditto (£100 Sterling, to be remitted to Richard Partridge, Exch. 67½ per Cent) per Order,	167	10	0
Caleb Cowpland, one of the Judges of the Supreme Court, per Order,	60	0	0
Lawrence Growdon, per ditto,	60	0	0
Mary Burden, per ditto,	5	0	0
Charles Essek, Expence for an Indian, per ditto	2	9	8
Charles Norris, in Behalf of John Hart	0	10	0
Richard Peters, per Order,	15	0	0
John Patten, per ditto,	30	0	0
Paid Evan Morgan, per ditto,	1	14	0
Ditto, per ditto,	6	0	0
Philip Syng, per ditto,	25	16	0
William Allen, for his Salary as Chief Justice,	200	0	0
John Smith, per Order,	7	16	0
Edward Warner, per ditto,	7	16	0
Richard Peters, for the Governor, per ditto,	109	4	0
Jonathan Robinson, for taking one of the Murderers of E. Davis,	50	0	0
Richard Peters, for the Governor,	188	12	0
Ditto, for ditto,	102	4	0
Mahlon Kirkbride, per Order,	1	4	0
Charles Norris's Clerk, for William Evans, per ditto,	0	15	0
Hugh Roberts, per ditto,	6	12	0
George Henry and Company, per ditto,	16	0	0
Richard Peters, for the Governor,	500	0	0
Charles Norris in Part of the £5000 for the King's Use, ordered to be sunk,	1000	0	0
	£ 3,022	15	8
To Commissions on the above, at Five per Cent,	151	2	9
Balance due to the Province,	1,108	14	5
		£ 4,282	12 10

THAT Joseph Redman Credits the Province with the Balance due at last Settlement on the List of Outstandings delivered him by Judah Foulke, £ 172 2 6

That he Charges the Province with Cash paid to Michael Lightfoot, Treasurer,	£ 13	18	3
To his Commissions thereon, at 5 per Cent,	0	13	11
To Balance outstanding,	157	10	4
		£ 172	2 6

THAT we have examined the Accounts of Joseph Redman, Collector of Excise for the City and County of Philadelphia, and find,

That he Credits the Province, by Balance due at last Settlement,	£	135	14 5
And by the Amount of Excise from June 1, 1752, to June 1, 1753,		2000	12 8
By sundry Retailers, at £ 3 per Annum,		203	5 0
By one Moiety of sundry Fines, as per List,		20	15 0
Carried forward,		£ 2,360	7 1

That

1753.			Brought forward,		£	2,360 7 1
September 11.	That he Charges the Province, to Cash paid to Michael Lightfoot, Provincial Treasurer,		2,087 10 9			
	To his Commissions thereon, at 5 per Cent,		104 7 6			
	To Balance due to the Province, outstanding,		168 8 10			
				£		2,360 7 1
	THAT we have examined the Accounts of John Woolston, Collector of Excise for the County of Bucks, and find,					
	That he Credits the Province for Balance due at last Settlement,	£	17 2 8			
	By the Amount of Excise from June 1, 1752, to June 1, 1753,		283 5 0			
	By sundry Retailers, at £ 3 per Annum,		9 0 0			
				£		309 7 8
	That he Charges the Province, to Cash paid to Michael Lightfoot, Treasurer,		232 0 0			
	To his Commissions thereon, at 10 per Cent,		23 4 0			
			255 4 0			
	Balance due to the Province,		54 3 8			
				£		309 7 8
	THAT we have examined the Accounts of Jeremiah Starr, Collector of the Excise for the County of Chester, and find,					
	That he Credits the Province for Balance due at last Settlement,	£	278 9 9			
	By Amount of Excise from June 1, 1752, to June 1, 1753,		427 16 0			
	By sundry Retailers, at £ 3 per Annum,		7 10 0			
				£		713 15 9
	That he Charges the Province, to Cash paid to Michael Lightfoot, Treasurer,		450 14 2			
	To his Commissions thereon, at 10 per Cent,		45 1 5			
		£	495 15 7			
	Balance due to the Province,		218 0 2			
				£		713 15 9
	That we have examined the Accounts of Arthur Patterson, Collector of Excise for the County of Lancaster, for two Years past, and we Charge him,					
	To a Balance due from him to the Province, as per Report of the Committee last Year,	£	93 15 10			
	To the Amount of Excise from June 1, 1751, to June 1, 1752		274 8 0			
	To Ditto from June 1, 1752, to June 1, 1753,		223 5 1			
				£		591 8 11
	That we Credit him, by Cash paid Michael Lightfoot, Treasurer,		458 6 3			
	By his Commissions thereon, at 10 per Cent,		45 16 7			
		£	504 2 10			
	Balance due to the Province,		87 6 1			
				£		591 8 11
	THAT we have examined the Accounts of David M'Connaughy, Collector of Excise for the County of York, for two Years past, and we Charge him,					
	To the Balance of Account, settled in 1751,	£	5 12 5½			
	To the Amount of Excise from June 1, 1751, to June 1, 1752,		55 2 5			
	To Ditto from June 1, 1752, to June 1, 1753,		60 18 4			
				£		121 13 2½
	That we Credit him,					
	By Cash paid Michael Lightfoot, Provincial Treasurer,		75 15 6			
	By his Commissions thereon, at 10 per Cent,		7 11 6			
			83 7 0			
	Balance due to the Province,		38 6 2½			
				£		121 13 2½
	THAT we have examined the Accounts of James Lindsay, Collector of Excise for the County of Cumberland, and find,					
	By Balance due on last Settlement,	£	20 3 7			
	By the Amount of Excise from June 1, 1752, to June 1, 1753,		55 0 4			
	By Cash received for Excise entered with B. Chambers, late Collector,		3 12 0			
				£		78 15 11
	That he Charges the Province with Cash paid Michael Lightfoot, Treasurer,		37 8 0			
	To his Commissions thereon, at 10 per Cent,		3 14 10			
			41 2 10			
	Balance due to the Province,		37 13 1			
				£		78 15 11
	THAT we have examined the Accounts of John Hughes, Collector of Excise for the County of Berks, and find that he Credits the Province,					
	By the Amount of Excise from Sixth Month 1, 1752, to Eighth Month 1, 1753,	£	404 1 2			
	By one Moiety of Fines received,		5 0 0			
	By Cash received upon the List returned to him by Joseph Redman,		31 17 2			
				£		440 18 4
	That he Charges the Province to Cash paid Michael Lightfoot, Treasurer,		320 5 10			
	To his Commissions thereon, at 10 per Cent,		32 0 6			
			352 6 4			
	Balance due to the Province,		88 12 0			
				£		440 18 4
	THAT we have examined the Accounts of Daniel Craig, Collector for the County of Northampton, and find that he Credits the Province,					
	By the Amount of Excise from the 19th of June, 1752, to the 19th of June, 1753,	£	86 7 0			
	By a List of Outstandings returned to him by John Woolston,		26 10 6			
	Carried forward,				£	112 17 6

That

1753.
September 11.

That he Charges the Province to Cash paid Michael Lightfoot, Treasurer,			97	8	10
To his Commissions thereon, at 10 per Cent,			9	14	9
			107	3	7
Balance due to the Province,			5	13	11
		£	112	17	6

THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees, to exchange old and ragged Bills, viz.

Of the Bills struck for that Purpose by the £ 80,000 Act, and £ 10,000 Act,			1174	3	2
Of the small Bills or Tickets,			4010	13	1
		£	5184	16	3

And we do further Report, that we have burnt and destroyed of the abovesaid Sum (before counting the Money in the Chest)

Of the old and ragged Bills of several Emissions struck before the £ 80,000 Act,			96	15	6
And of ditto, of the £ 80,000 and £ 10,000,			843	1	0
And of the small Bills or Tickets,			426	7	3
Makes the whole Sum burnt,		£	1366	3	9
Which leaves in the Hands of the Trustees for exchanging of torn and ragged Bills the Sum of			3818	12	6
		£	5184	16	3

And lastly we Report, that in Pursuance of the Act that gave £ 5,000 to the King's Use, we have burnt and destroyed the Sum of £ 1000 0 0

Submitted to the Correction of the House, Eighth Month 29, 1753, *by*

EDWARD WARNER, EVAN MORGAN,
JOHN SMITH, THOMAS CUMMINGS."
HUGH ROBERTS,

Then the several Orders for the Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being signed by the Speaker, by Order of the House;

The House adjourned to the 30th of *September*.

INCIDENTAL CHARGES.

Incidental Charges.

TO *William Allen*, Esq; Chief Judge of the Supreme Court,	£	200	0 0
To *Lawrence Growdon*, Esq; Second Judge of the Supreme Court,		60	0 0
To *Caleb Cowpland*, Esq; Third Judge of the Supreme Court,		60	0 0
To *Richard Patridge*, Esq; his Salary as Agent, £ 100 Sterl.		165	0 0
To *Robert Charles*, his Salary as Assistant to the Agent, £ 50 Sterl.		82	10 0
To the Speaker for immediate Services,		30	0 0
To the Members of Assembly, for their Attendance, at 6*s. per* Day, the whole Amount,		453	13 0
To *Edward Warner*, for 30 Days Attendance on the Committee of Accounts, and burning Paper Money, at 6*s. per Day*,		9	0 0
To *John Smith*, for 33 Days Ditto,		9	18 0
To *Hugh Roberts*, for 30 Days Ditto,		9	0 0
To *Evan Morgan*, for 11 Days Ditto,		3	6 0
To *Thomas Cummings*, for 10 Days Ditto,		3	0 0
To *Charles Brockden*, Master of the Rolls, his Account,		3	18 4
To *Richard Peters*, Secretary, his Salary as Clerk to the Council		15	0 0
To Ditto, his Account for Cash advanced, and sundry Services,		46	17 0
To *William West*, for Cash paid *James Lowry*, for carrying Expresses from the Governor to *Ohio*, and said *West's* Expences in forwarding those Expresses, 32 9 1½			
Of which Sum *Richard Peters*, Esq; hath paid, and charged, 10 4 0		22	5 1½
To *Andrew Montour*, for Service on *Indian* Affairs, 20 0 0			
Of wich *Richard Peters*, Esq; hath paid him 12 0 0		8	0 0
To *John Arts*, Waggoner, for carrying Part of the *Ohio* Present in 1750, 12 0 0			
Of which *Richard Peters*, Esq; paid, in Part, 10 0 0		2	0 0
To *Lynford Lardner*, late Keeper of the Great Seal, his Account,		8	0 6
To *Benjamin Franklin's* Account,		24	5 0
To *William Franklin*, Clerk to the House, for 40 Days, at 6*s* per Day,		12	0 0
To Ditto, his Account,		35	1 0
To *Conrad Weiser*, Esq; for *Indian* Expences, and his Journey to *Shamokin*,		25	5 0
Carried forward,	£	1287	18 11½

		£	s	d
1753.	Brought forward,	1287	18	11½
September 11.	To *Conrad Weiſer*, for Expences, *&c.* on his Journey to *Albany* and the *Mohocks* Country, in the Service of the Government, 28 14 2	58	14	2
	And for his Trouble therein, —— —— 30 0 0			
	To *Ezekiel Dunning*, Sheriff of *Cumberland* County, for Expences on *Daniel Hurley*, — — — 21 0 0			
	Of which Sum his Deputy, *Arthur Buchanan*, received 10 0 0	11	0	0
	To *Samuel Morris*, Sheriff of *Philadelphia* County, his Expences on the Trial and Execution of *Daniel Hurley*, — —	8	16	0
	To *Hermanus Alricks*, for Caſh paid for apprehending ſaid *Daniel Hurley*,	5	0	0
	To *Benjamin* and *William Franklin*, for Poſtage of Public Letters to the Governor, *&c.* as per Accounts, —— — —	19	19	9
	To *Samuel Kirk*, Sergeant at Arms, his Salary, — —	8	0	0
	To *Edward Kelly*, Door-keeper, for Attendance 40 Days, at 4*ſ. per Day*,	8	0	0
	To Ditto, as *per* Account, — — —	2	11	7½
	To *Richard Richardſon*, *Thomas Jervis*, &c. in Conſideration of their Expences and Trouble on repeated Journies in Search of the Murderers of *John Thomas* and *Eleanor Davis*, —— —	25	0	0
	To *Charles Stow*, Door-keeper to the Council, for Attendance on 15 Councils, at 2*ſ.* 6*d.* each, — — — —	1	17	6
	To *Mary Burden*, for ſweeping and airing the State-houſe, *&c.* -	5	0	0
	To *Plunket Fleeſon*, for a Bottom for the Speaker's Chair, *per* Account,	1	2	0
	£	1443	0	0

At an ASSEMBLY *held in* Philadelphia, *the Fifteenth Day of* October, Anno Domini 1753.

October 15. BY the Returns of the Sheriffs of Six Counties, it appears that the following Gentlemen were choſen to ſerve in Aſſembly as Repreſentatives of the Freemen of the Province of *Pennſylvania*, for the Year enſuing, *viz.*

For *Philadelphia* County.
Iſaac Norris,
Edward Warner,
Evan Morgan,
Joſeph Trotter,
Joſhua Morris,
Hugh Evans,
Joſeph Stretch,
Joſeph Fox.

For *Philadelphia* City.
Benjamin Franklin,
William Callender.

For *Bucks* County.
Mahlon Kirkbride,
Joſeph Hampton,
Samuel Brown,
William Hoge,

For *Bucks* County.
Griffith Owen,
Derrick Hogeland,
Jonathan Ingham,
William Smith.

For *Cheſter* County.
Thomas Cummings,
Nathaniel Pennock,
George Aſhbridge,
Joſeph Gibbons,
Nathaniel Grubb,
Peter Dicks,
William Peters,
Joſeph James.

For *Lancaſter* County.
Arthur Patterſon,
James Wright,

For *Lancaſter* County.
Calvin Cooper,
Peter Worral.

For *York* County.
John Wright,
David M'Connaughy.

For *Cumberland* County.
No Return made, nor Repreſentatives appeard.

For *Berks* County.
Moſes Starr.

For *Northampton* County.
No Return made, but *William Parſons* appeared.

And a Quorum of the Repreſentatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Eſq; was unanimouſly choſen Speaker of this Houſe for the enſuing Year, and accordingly placed in the Chair.

Ordered, That *Edward Warner*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Thomas Cummings* and *James Wright* wait upon the Governor, and acquaint him, that, purſuant to the Charter and Laws of this Province, a Quorum of the Repreſentatives have met, and proceeded to the Choice of a Speaker, and deſire to know when he will be pleaſed to receive the Houſe, that they may preſent their Speaker.

The

1753. October 15.

The Sheriffs of *Lancaster*, *York*, *Cumberland* and *Northampton*, neglected to deliver or send to the House the Constables Returns, and Lists of Electors for the respective Counties, as they are by Law directed to do.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *October* 16.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would be at the Council Chamber by Twelve o'Clock this Morning.

A Return of the Sheriff of the County of *Northampton* was brought to the House, by which it appeared that *William Parsons* was chosen Representative to serve in Assembly for the said County.

A Message from the Governor, by the Secretary.

SIR,

"The Governor is now in the Council Chamber, ready to receive the House with their Speaker."

Then the Speaker, with the whole House, waited upon the Governor; and being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor, and presented their Speaker, and that the Governor was pleased to approve their Choice. That the Speaker had then in the Name and Behalf of the House claimed the usual Privileges, *viz.*

That the House, during their Sitting in Assembly, may enjoy Freedom of Speech in all their Propositions and Debates.

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons and Estates may be protected from all Arrests and Insults during the Time of Privilege accustomed.

That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report. And lastly,

That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleased to say, they were the just and indisputable Rights of the House, and that he should never attempt to violate them.

Then the Qualifications by Law appointed, were taken and subscribed, first by the Speaker in the Chair, and then at the Table by all the rest of the Members present, in their Order.

Resolved, That *William Franklin* be Clerk of this House for the ensuing Year.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House for the Year ensuing.

Resolved, That *Edward Kelly* be Door-keeper to this House for the ensuing Year.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

Sundry Letters from *Robert Charles*, Esq; Assistant to the Agent, were laid before the House by the Speaker, and read; and ordered to lie on the Table for the Perusal of the Members.

Resolved, That *Richard Patridge*, Esq; be Agent of this Province, at the Court of *Great-Britain* for the ensuing Year.

Resolved, That *Fifty Pounds* Sterling be allowed *Robert Charles*, Esq; as an Assistant to the Agent for the Year ensuing.

Ordered, That *Benjamin Franklin* and *William Callender* be, with the Speaker, a Committee of Correspondence.

Ordered, That the said Committee do send to *Robert Charles*, Esq; a complete Copy of all the Laws now in Force in this Province.

Ordered, That *Joseph Trotter*, *Joseph Fox*, *Benjamin Franklin*, *George Ashbridge* and *Peter Worral* be a Committee of Grievances for the Year ensuing; and they have Power to send for Persons, Papers and Records.

Ordered, That *Edward Warner*, *Evan Morgan*, *Joseph Fox*, *Benjamin Franklin*, *William Callender*, *Joseph Hampton*, *Thomas Cummings* and *Peter Worral* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper Money Acts; and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have Power to send for Persons, Papers and Records.

Resolved, That *Michael Lightfoot* be Treasurer of this Province for the ensuing Year.

Ordered,

1753. October 16. *Ordered*, That *Edward Warner* and *Benjamin Franklin* be a Committee to reviſe the Minutes before they are printed.

A Petition from *Alexander Magenty*, of the County of *Cumberland*, *Indian* Trader, was preſented to the Houſe and read, ſetting forth, that the Petitioner having been trading with the *Cuttawa Indians*, who are in Alliance with the Crown of *Great-Britain*, was on the Twenty-ſixth of *January* laſt, as he was returning home, taken Priſoner by a Party of *French Indians*, of the *Cagnawaga* Nation, near the River *Kantucqui*, a Weſtern Branch of the *Ohio*; that the ſaid *Indians* beat and abuſed the Priſoner in a moſt barbarous and cruel Manner, and then ſent him to *Montreal*; that from *Montreal* he wrote a Letter to the Mayor of *Albany*, deſiring that he would endeavour to obtain his Releaſe, which the ſaid Mayor did at length accompliſh, upon paying about *Twenty Pounds* to the *Indians* who took him; that the Petitioner is now returned to this City, deſtitute of Clothes and other Neceſſaries, nor has any Thing wherewithal to bear his Expences to *Cumberland* County, the Place of his Reſidence; therefore prays this Houſe would take his unhappy Caſe into their Conſideration, and grant him ſuch Relief as to their Wiſdom ſhall ſeem meet.

Ordered, That the ſaid Petitioner do attend this Houſe To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 17. The Petition of *Alexander Magenty*, *Indian* Trader, was again read, and conſidered; and the Petitioner attending according to Order, was called in, and having anſwered ſuch Queſtions as were put to him by the Houſe, he was directed to withdraw.

Reſolved, That the Sum of *Six Pounds* be allowed to the ſaid *Magenty*, towards defraying his Expences to *Cumberland* County.

Ordered, That *Evan Morgan*, *Joſeph Trotter*, *Joſeph Fox*, *Benjamin Franklin* and *William Callender* be a Committee to inſpect the Laws of this Province, and report which of them are expired or near expiring, and ought to be re-enacted; with their Opinion what Amendments to them or others may be neceſſary.

Ordered, That *Evan Morgan*, *Joſeph Stretch*, *Benjamin Franklin* and *William Callender* be a Committee to enquire into the State and Circumſtances of the Trade of this Province with regard to the Quantity of our Paper Currency from its firſt Emiſſion in 1723, to the preſent Time.

Reſolved, That this Houſe will this Day adjourn to the Fourteenth Day of the Month called *January* next.

Ordered, That *Thomas Cummings* and *Joſeph Gibbons* wait upon the Governor, and acquaint him therewith.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return and report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, that the propoſed Time of Adjournment did by no Means ſuit him; but if the Houſe would agree to meet about the Beginning of *February* he ſhould have no Objection thereto.

The Houſe taking the ſame into Conſideration;

Reſolved, That this Houſe will now adjourn to the Second Day of the firſt Week of the Month called *February* next.

And then the Houſe did adjourn accordingly.

1754. February 4. THE Houſe met purſuant to their Adjournment.

Ordered, That *Evan Morgan* and *Joſeph Fox* wait upon the Governor, and acquaint him, that the Houſe is met according to their Adjournment, and deſire to know if he hath any Thing to lay before them.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 5. The Gentlemen appointed Yeſternight to wait upon the Governor, report, that ſoon after they had left the Houſe, they met with the Secretary, who informed them, that the Governor had directed him to receive the Meſſage of the Houſe, and to acquaint them, that he would ſend a Meſſage to the Houſe in the Morning.

The Secretary attending, was called in, and addreſſing himſelf to the Chair, ſaid,

SIR,

'The Governor is ſorry to find himſelf prevented by Indiſpoſition from now communicating to the Houſe, in a proper Manner, ſundry Letters which he ſome Time 'ſince received, as well from his Majeſty's Miniſters, as from ſeveral of the neighbouring Governors, relating to *Indian* Affairs; which, nevertheleſs, he hopes yet 'ſhortly to be able to do, if it ſhall pleaſe God to favour him with the Recovery of his 'Health.

'In the mean Time, it will be equally agreeable to him, whether the Houſe thinks 'fit to come to a ſhort Adjournment, or ſhall proceed to prepare ſuch Buſineſs as they 'may have to lay before him, when his Health will permit him to receive it, which 'he would willingly hope will not be long."

Then the Secretary withdrew.

A Return

A Return of the Sheriff of the County of *Cumberland* was brought to the Houſe, by which it appeared that *John Armſtrong* and *Joſeph Armſtrong* were choſen Repreſentatives to ſerve in Aſſembly for the ſaid County. 1754. February 5.

And the ſaid *John Armſtrong* and *Joſeph Armſtrong*, now appearing, did, with *Griffith Owen*, returned a Repreſentative for the County of *Bucks*, take and ſubſcribe the uſual Qualification by Law appointed to be taken by the Members of Aſſembly; and they then took their Seats in the Houſe accordingly.

A Petition from a conſiderable Number of the Inhabitants of *Cheſter* County was preſented to the Houſe and read, ſetting forth, that by an Act of Aſſembly of this Province, made in the Eighth Year of the late King, entituled, *An Act for eſtabliſhing Courts of Judicature in this Province*, it is directed, that upon any Iſſue joined in the Supreme Courts (appointed to be holden and kept by the ſaid Act) ſuch Iſſue ſhall be tried in the Country from whence the Cauſe was removed, before the Judges of the ſaid Court, who are impowered and required, by the ſaid Act, to go the Circuit twice in every Year, to try ſuch Iſſues in Fact, as ſhould be depending in the ſaid Supreme Court, on certain Days and Times in the ſaid Act mentioned; that the Petitioners are humbly of Opinion, that at the Time of making the ſaid Act of Aſſembly, the Circumſtances of this Province were ſuch, as that the Times therein limited for holding the ſaid Courts in the ſeveral Counties, in the ſaid Act mentioned, were ſuitable and ſufficient, but thoſe Circumſtances being ſince much altered, both with reſpect to the Number of Inhabitants, and Increaſe of Buſineſs at thoſe Courts, it has now become impracticable for the Judges to attend in the ſeveral Counties, at the Times by Law required, and go through the neceſſary Buſineſs, which has occaſioned the introducing the Practice of holding all the ſaid Courts at the City of *Philadelphia*, to the great Inconveniency not only of the Petitioners, but of the Inhabitants of the other Counties in the ſaid Province, as they are by that Means put to conſiderable Expence in attending the ſaid Courts as Jurors, Witneſſes, *&c.* therefore praying this Houſe would take the Premiſes into their ſerious Conſideration and grant ſuch Relief as in their Wiſdom they ſhall judge moſt meet.

Ordered to lie on the Table.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

Calvin Cooper, returned a Repreſentative for the County of *Lancaſter*, appearing in the Houſe, took and ſubſcribed the uſual Qualification by Law appointed to be taken by Members of Aſſembly; and then took his Place accordingly.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *February* 6.

The Committee appointed to conſider the State of the Trade of this Province, *&c.* made their Report in Writing, which was read, and is as follows, *viz.*

IN Obedience to the Order of the Houſe, your Committee have enquired into the State and Circumſtances of the Trade of this Province with regard to the Quantity of our Paper Currency from its firſt Emiſſion in 1723, to the preſent Time; and do find, by authentic Accounts, that before that Period our Trade was in a declining State; and that ſince the ſame, our Importations from *Great-Britain* have increaſed as follows, *viz.* Report of the Committee on Trade, *&c.*

In 1723 they amounted only to	-	-	£	15,992	19	4
In 1730 they were	-	-	-		48,592	7	5
In 1737 they were	-	-	-	-	-		56,690	6	7
In 1742 they were	-	-	-	-	-		75,295	3	4
In 1747 they were	-	-	-	-	-		82,404	17	7
In 1751 they were	-	-	-	-			190,917	5	1

We do alſo find, that in the Years 1729, 1730 and 1731 we had near the ſame Quantity of Paper Money that we now have, and ever ſince have had; and that our Exportations of Wheat, Flour, Bread and Flaxſeed amounted then, one Year with another, to little more than £ 60,000 *per Annum*; whereas in the Year 1749 thoſe Articles amounted to - - - - £ 148,104 4 11

In 1750 to	-	-	-	-		155,174	19	6
In 1751 to	-	-	-	-	-	187,457	11	1

which laſt is more than treble the Value of thoſe Articles exported twenty Years before.—For a more particular Account of thoſe Exportations, your Committee beg Leave to refer to a Valuation of the ſeveral Articles hereunto annexed.

By the Report of a former Committee of Aſſembly, made in *Auguſt*, 1752, it appears that our Numbers of People, and Domeſtic Trade, have increaſed in like Proportion.

Your Committee beg Leave to obſerve, that they apprehend the Occaſions for a Medium of Trade muſt have increaſed equally with the Trade; and that our Foreign and Domeſtic Commerce could not have been carried on as it has been for ſome Years paſt, had not the accidental Introduction of great Quantities of Silver and Gold, by the War, ſupplied the Deficiency of our Paper Currency for that Purpoſe. And ſince Complaints

1754. *February* 6. of the Want of a ſufficient Medium (occaſioned by the Diminution of our Quantity of Gold and Silver, which is continually ſent Home in Return for *Britiſh* and *India* Manufactures) are daily growing louder; and our Paper Currency muſt, by the preſent Acts, begin ſhortly to diminiſh one ſixth Part annually, your Committee humbly ſubmit it to the Conſideration of the Houſe, whether it is not now become neceſſary, not only to prolong the Re-emiſſions, but to ſtrike and emit an additional Sum.

EVAN MORGAN, BENJAMIN FRANKLIN,
February 6, 1754. JOSEPH STRETCH, WILLIAM CALLENDER."

An Account of the Quantities of Wheat, Flour, Bread and Flaxſeed, which have been exported from the Port of Philadelphia, *in the Years* 1729, 1730, 1731, *and* 1749, 1750, 1751, *viz.*

			Middle Price. per C. s. d.	per Caſk, per Buſhel, £ s. d.	s. d.			
1729.	35,438	Barrels of Flour,	11 0	1 1 0			£ 37,209 18 6	
	4,067	Tierces of Bread,	12 0	2 0 9		£ 8286 10 3		
	5,459	Barrels of Bread,		0 14 0		3821 6 0		
	264	Quarter-caſks of ditto,		0 5 0		66 0 0		
							12,173 16 3	
	74,800	Buſhels of Wheat,			3 6		13,090 0 0	
								£ 62,473 14 3
1730.	38,570	Barrels of Flour,	10 6	1 0 0			£ 38,570 0 0	
	247	Hogſheads of Bread,	11 0	2 17 0		£ 703 19 0		
	4,331	Tierces of ditto,		1 18 0		8228 18 0		
	5,403	Barrels of ditto,		0 13 0		3511 19 0		
	188	Quarter-caſks of ditto,		0 4 9		44 13 0		
							12,489 9 0	
	38,643	Buſhels of Wheat,			3 4		6,440 10 0	
								£ 57,499 19 0
1731.	56,639	Barrels of Flour,	8 0	0 15 9			£ 44,603 4 3	
	54	Hogſheads of Bread,	9 0	2 8 6		£ 130 19 0		
	3,853	Tierces of ditto,		1 12 4		6229 0 4		
	8,059	Barrels of ditto		0 11 0		4432 9 0		
	470	Quarter-caſks of ditto,		0 4 3		99 17 6		
							10,892 5 10	
	53,326	Buſhels of Wheat,			2 6		6,665 15 0	
	255	Hogſheads of Flaxſeed,		1 13 0			420 15 0	
								£ 62,582 0 1
1749.	67,092	Barrels of Flour,	16 6	1 10 7			£102,594 17 0	
	10	Hogſheads of Bread,	17 0	4 2 2		£ 41 1 8		
	525	Tierces of ditto,		2 14 9		1437 3 9		
	19,501	Barrels of ditto,		0 19 0		18525 19 0		
	6,319	Quarter-caſks of ditto,		0 6 3		1974 4 9		
	5	Tons of ditto,	17 0			85 0 0		
							22,063 9 2	
	45,775	Buſhels of Wheat,			5 3		12,015 18 9	
	3,048	Hogſheads of Flaxſeed,		3 15 0			11,430 0 0	
								£ 148,104 4 11
1750.	82,095	Barrels of Flour,	12 6	1 3 7			£ 96,803 13 9	
	79	Hogſheads of Bread,	13 0	3 5 3		£ 257 14 9		
	939	Tierces of ditto,		2 3 6		2042 6 6		
	17,656	Barrels of ditto,		0 15 0		13242 0 0		
	6,418	Quarter-caſks of ditto,		0 5 3		1684 14 6		
	113	Tons of ditto,	13 0			1469 0 0		
							18,695 15 9	
	86,745	Buſhels of Wheat,			4 0		17,349 0 0	
	6,361	Hogſheads of Flaxſeed,		3 10 0		22263 10 0		
	36	Barrels of ditto,		1 15 0		63 0 0		
							22,326 10 0	
								£ 155,174 19 6
1751.	108,695	Barrels of Flour,	12 0	1 2 9			£123,640 11 3	
	769	Tierces of Bread,	12 6	2 2 2		£ 1621 6 2		
	27,054	Barrels of ditto,		0 14 6		19614 3 0		
	7,828	Quarter-caſks of ditto,		0 5 1		1989 12 4		
	282	Tons of ditto,	12 6			3525 0 0		
							26,750 1 6	
	76,870	Buſhels of Wheat,			3 10		14,733 8 4	
	9,895	Hogſheads of Flaxſeed,		2 5 0		22263 15 0		
	62	Barrels of ditto,		1 2 6		69 15 0		
							22,333 10 0	
								£ 187,457 11 1

In the above Calculation a Caſk of Flour is computed at 1 *C.* 3 *qrs.* 00*lb.* Nett. A Tierce of Bread at 2 *C.* 3 *qrs.* 7*lb.* Nett, and a Hogſhead of Flaxſeed at ſeven Buſhels, beſide the Charge of Caſk, *&c.*

The Report of the Committee in *Auguſt*, 1752, on the State of our Paper Curency, Trade, Numbers of People, *&c.* was alſo read.

Reſolved, That this Houſe will take the Report of the Committee on the State of our Trade, *&c.* into Conſideration this Afternoon.

A Petition from the Truſtees, Commiſſioners and Aſſeſſors of the County of *Cumberland* was preſented to the Houſe and read, ſetting forth, that the ſaid County is not as yet able to defray the Expence of building a Priſon, and are under an abſolute Neceſſity of borrowing a Sum of Money for that Purpoſe; they therefore pray that this Houſe would

would be pleased to grant them the Sum of *Four Hundred Pounds* out of the Public Loan-Office, for so long a Time, and on such Security, as shall be judged most proper. 1754. February 6.

Ordered to lie on the Table.

An Account from *John Harris*, of *Peckstan*, in this Province, for his Trouble and Expences in going to *Ohio*, on a Message from the Governor, was laid before the House and read, and referred to the Committee of Accounts.

A Petition of divers Inhabitants of the County of *Northampton* was presented to the House and read, setting forth, that the laying out the Roads and Townships within the said County, how necessary soever the same may be for the general Good, is very much neglected, by reason that the Charge attending the doing thereof, frequently falls upon a few public-spirited Persons, whilst others, who reap equal Benefit with them, do absolutely refuse to pay their reasonable and proportionable Part of the Expence, alledging that there is no Law of the Province that obliges them to contribute thereto; therefore praying that this House would be pleased to take the Premises into their serious Consideration, and grant such Relief therein as shall be judged most equitable and proper.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House, according to the Resolve of this Morning, proceeded to the Consideration of the Report of the Committee on the State of the Trade of this Province, *&c.* and, after a considerable Time spent therein, came to the following Resolutions, *viz.* *Post Meridiem*

Resolved, N. C. D. That it is necessary that the Paper Money of this Province should be re-emitted for a further Time.

Resolved, N. C. D. That there is a Necessity of a further Addition to the Paper Money at present current by Law within this Province.

Resolved. N. C. D. That there is a Necessity that a Sum should be struck to exchange the ragged and torn Bills now by Law current within this Province.

Ordered, That *Edward Warner, Evan Morgan, Benjamin Franklin, Mahlon Kirkbride, Joseph Gibbons, James Wright, John Armstrong, Moses Starr* and *William Parsons* be a Committee to prepare and bring in a Bill agreeable to the foregoing Resolves.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare and bring in a Bill pursuant to the Resolves of Yesternight, reported, that they had made some Progress therein, and should be ready to report the same in the Afternoon. *February 7.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Bill for striking the Sum of *Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, was brought in by the Committee appointed for that Purpose, and read the first time, and ordered a second Reading. *Post Meridiem*

The printed Copy of the Treaty held with the *Ohio Indians* at *Carlisle*, in *October* last, by *Richard Peters, Isaac Norris* and *Benjamin Franklin*, Esquires, Commissioners appointed by the Governor for that Purpose, being brought to the House, was ordered to be read, and it was done accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House proceeded to read the second time the Bill for striking the Sum of *February 8.*
Pounds, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and, after a considerable Debate thereupon;

Resolved, That the Sum to be struck and emitted be *Forty Thousand Pounds*, and that the Blank in the said Bill be filled up accordingly.

And the farther Reading and Consideration of the said Bill was referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Letter from the Agent to *Benjamin Franklin*, one of the Committee of Correspondence, was laid before the House and read, and *Post Meridiem*

Ordered to lie on the Table.

A Petition from sundry Inhabitants of the County of *Lancaster* was presented to the House and read, setting forth, that although by an Act of Assembly of this Province, the Justices are directed to divide their respective Counties into Precincts or Townships, yet as no Provision is made by the said Act, for defraying the Expence of making such Division, the good Intent of the same has hitherto been defeated; and that, for Want of some Method established by Law, for defraying the Expence aforesaid, much of the improved Part of the Province is not yet erected into Townships, and many of the Returns of Townships already laid out, are not to be depended on; that the Division Lines lately run between the said County and *Berks* have cut off the Townships formerly laid out, in such Manner as to render them very disproportionate to other Townships, as well as uncertain in Regard to their Limits; that the Petitioners conceive these Inconveniences cannot be remedied until some Method of raising Money to discharge the said Expence

be

1754. *February* 8. be ſettled by Law; they therefore pray that this Houſe would be pleaſed to conſider the Premiſes, and grant ſuch Relief therein, as ſhall appear moſt ſuitable.

Ordered to lie on the Table.

Then the Houſe proceeded in reading and conſidering of the Bill for ſtriking *Forty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and ſundry Alterations being made therein, the further Conſideration thereof was referred to To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 9. The Bill for ſtriking *Forty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being read the ſecond time, was ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

February 11. The Houſe met purſuant to their Adjournment.

Poſt Meridiem. The Bill for ſtriking *Forty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being tranſcribed, a Part thereof was now read, and the Remainder ordered to be read To-morrow Morning.

The following Propoſal was preſented to the Houſe, and read, *viz.*

To the REPRESENTATIVES of the Freemen of the Province of Pennſylvania, *in General Aſſembly met.*

Propoſal to the Houſe. ‘ WE, the Subſcribers, being perſuaded that the ſame charitable Diſpoſition which induced the Houſe of Repreſentatives ſome Time ago to found an Hoſpital for ‘ the Relief of the ſick Poor, *&c.* will ſtill incline them to promote all proper Meaſures ‘ to render ſo laudable an Inſtitution of the moſt extenſive Service: With this View, ‘ we offer to ſign the Paper Bills of Credit, propoſed to be iſſued by the Law now under ‘ Conſideration, and we will contribute ſuch Sums of Money as may by Law become ‘ due to us for that Service, towards increaſing the Capital Stock of the ſaid Hoſpital, ‘ or to be applied in ſuch other Manner for the Uſes thereof, as the Managers may think ‘ moſt proper.

Submitted with all due Reſpect to the Conſideration of the Houſe, by

	Hugh Roberts,	*Charles Jones,*	*Joſeph Saunders,*
2*d Mo.* 11*th,*	*John Reynell,*	*Samuel Hazard,*	*George Spofford,*
1754.	*Joſeph Wharton,*	*Samuel Rhoads,*	*John Pole,*
	John Smith,	*Joſeph Morris,*	*Joſeph King,*
	James Pemberton,	*Samuel Sanſom,*	*Owen Jones,*
	Iſaac Greenleaſe,	*Edward Penington,*	*Iſrael Pemberton,*
	Iſaac Jones,	*Thomas Clifford,*	*Jonathan Evans,*
	Thomas Croſby,	*William Grant,*	*William Logan,*
	Daniel Williams,	*Thomas Say,*	*Samuel Burge.*”

And three of the Members of this Houſe, viz. *Edward Warner*, *Evan Morgan* and *Joſeph Fox* offered likewiſe to be Signers of the Money, propoſed to be emitted by the Bill now under Conſideration, on the ſame Conditions.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 12. A Petition from the Juſtices, Grand Jury, Commiſſioners and Aſſeſſors of the County of *Lancaſter* was preſented to the Houſe and read, ſetting forth, that frequent Complaints having been made by the Inhabitants of the ſaid County, and others, of the Want of a Bridge over *Coneſtogoe* Creek, on the Provincial Road from the City of *Philadelphia*, induced the Petitioners to take the Premiſes into their Conſideration, and that they are of Opinion, the ſame is abſolutely neceſſary, and would be of great Service to the Public; that by Reaſon of the frequent and extraordinary Freſhes, in the Spring and Fall Seaſons, and the Ice in the Winter, the Inland Trade of the back Counties, which is of the greateſt Importance to their Inhabitants, and to the City of *Philadelphia*, is greatly obſtructed; that the ſaid Obſtructions moſtly happening in the Seaſon for Markets, are a great Damage and Diſcouragement to thoſe who travel with Land Carriages; and likewiſe are often very detrimental to Perſons having Matters depending in the Courts of Judicature, and other public Meetings, in ſaid County, who are frequently obliged to venture through the ſaid Creek, at the Riſk of their Lives; that the Petitioners have examined the Public Accounts of the ſaid County, and underſtand, that, by Eſtimation, a ſuitable Bridge for the ſaid Service (a Plan whereof is annexed to their Petition) cannot be erected at leſs Expence than near *Two Thouſand Pounds*, which Sum they apprehend to be too great to be now raiſed upon the Inhabitants of their County, conſidering that within theſe laſt ten Years, they have built a Stone Bridge over little *Coneſtogoe* Creek on the ſaid Road, re-built their Priſon, and walled in their Priſon Yard or Lot, at the Expence of *Fifteen Hundred Pounds*, as well as paying near *Three Thouſand Pounds* for

for the Premium for destroying Squirrels, besides defraying all other incident Charges; that as the Premises are of so great Consequence to the Inhabitants of this Province in general, and the Expences thereof would be at present an extraordinary Burden on the said County in particular, who are but a small Part of those who have Occasion to make Use of the said Road; the Petitioners therefore pray that this House would be pleased to take the same into their serious Consideration, and order a Sum of Money to be paid out of the Public Treasury into the Hands of the Treasurer of said County, to be applied towards the said Service, which, as the Petitioners apprehend, will encourage the Inhabitants more freely to assist in the said laudable Undertaking. 1754. February 12.

Another Petition from divers Inhabitants of *Lancaster* County, of the same Import with the preceding, was presented to the House and read, and

Ordered to lie on the Table

A Petition from sundry Inhabitants of the County of *Lancaster* was likewise presented to the House and read, praying that the Law of this Province, relating to Supreme Courts, may be amended, and a Clause inserted therein, extending the Circuit of the Judges of said Court to the said County; and that this House would make Provision for the Officers of the said Court on whom the Duties thereof are incumbent.

Ordered to lie on the Table.

The Proposal from sundry Gentlemen, offering to be Signers of the Paper Money intended to be issued by the Bill now under Consideration, being again read,

Resolved, That their Names be accordingly inserted in the said Bill, together with those of the three Members of this House, who made the like Offer on Yesternight.

The Bill for striking *Forty Thousand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, being read the third time;

Resolved, That the said Bill do pass.

Resolved, That the Sum of *Five Hundred Pounds* be now allowed to the Honourable *JAMES HAMILTON*, Esq; Governor of this Province, in Part of his Support.

And an Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

Ordered, That *Joseph Stretch* and *Thomas Cummings* wait upon the Governor with the said Order, and acquaint him, 'that the House, on receiving the Governor's Message of the Fifth Instant, were concerned to hear of his ill State of Health; but as he then gave them some Expectation, that he should in a short Time be able to proceed upon the public Business, and acquainted them that it was equal to him, whether they made a short Adjournment, or proceeded to prepare such Business as they might have to lay before him, they have chose to continue their present Sitting, as being in the most suitable Season with regard to their private Affairs, hoping the Governor's Indisposition would not long continue; and as they now have the Pleasure of hearing that his Health is in a great Measure restored, they beg Leave to acquaint him, that they have prepared some Business to lay before him whenever it may suit him to receive the same."

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to thank the House for the Order for Part of his Support, and said, that he expected, in two or three Days, his Health would permit him to receive any Business the House might have to lay before him.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *February* 13.

The Petition from *James Read*, Esq; recommended to this Assembly by the last, was read, and the Consideration thereof referred to the next Sitting of this House.

The Petition from the United Brethren, living at *Bethlehem*, in *Northampton* County, which was referred to this Assembly by the last, was read, and considered, and

Ordered to lie on the Table.

The Petition from divers Inhabitants of the City of *Philadelphia*, relating to the Assaying and Stamping of Gold and Silver, recommended to this Assembly by the last, was read, and the Consideration thereof was referred to the Committee appointed to inspect the Laws of this Province, *&c.* who, if they think proper, are to bring in a Bill for the Purposes mentioned in said Petition.

The Petition relating to Vendues, presented to the Assembly on the Sixth of *February*, 1752, was taken up and read, and *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Bill for regulating Vendues; the Bill for laying a Tax on Dogs kept within the City of *Philadelphia*, and the Townships of the *Northern Liberties*, *Passyunk* and *Moyamensing*, and for the better Support of the Poor within the said City and Townships; and the Bill for preventing the Exportation of unmerchantable Wheat, Indian Corn, Flaxseed, and other Grain, Shingles, Staves, Heading, Boards and Timber, together with the several Petitions relating to the said Bills, recommended to the Consideration

1754. of this Assembly by the last, were severally read the first time, and ordered a second Reading.

February 13. The Petition against Gaming and Gaming-houses, presented to the Assembly in 1752, with the Report of the Committee at that Time thereon, and which were referred to the Consideration of this Assembly by the last, were read, and

Ordered to lie on the Table.

A Petition from *Joshua North*, of the City of *Philadelphia*, Shopkeeper, setting forth, that the Petitioner is informed a fit and capable Person for inspecting and measuring Grain, and Seed, is now about to be nominated by this House; that the Petitioner conceives himself properly qualified for the said Office, and will give sufficient Security for his diligent and faithful Performance thereof according to Law; and praying that the House would be pleased to confer the same upon him, was presented to the House and read, and *Ordered to lie on the Table.*

Adjournment Then the House adjourned to Ten o'Clock To-morrow Morning.

February 14. The Governor, by his Secretary, sent down a written Message to the House, with sundry Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'HAVING in *September* last received a Letter, by Express, from Col. *Fairfax*, of *Virginia*, informing me that some Chiefs of the *Ohio Indians* were then at *Winchester* soliciting the Assistance of that Government, and intended, as soon as they should have finished there, to come to *Carlisle*, in the County of *Cumberland*, where they entreated I would be pleased to give them the Meeting; I assembled the Council, and being favoured with the Attendance of the Speaker, and such Members of your House as were in Town, I laid it before them for their Advice, who were unanimously of Opinion, that a Conference with these *Indians* might afford a good Opportunity of becoming acquainted with a true State of their Dispositions and Affairs; and that proper Presents should be provided out of the Sum voted by the Assembly in the Month of *May* last, and there distributed for their Service and Relief. Entirely concurring with these Sentiments, as my own Health did not permit me to undertake such a Journey, I issued a Commission to Mr. *Peters*, Mr. *Norris* and Mr. *Franklin*, empowering them to hold a Treaty with those *Indians*, and to make them the Presents of Condolence, and such others, as they should find suitable, on being truly informed of their Necessities; who accordingly proceeded to *Carlisle*, and held a Treaty with them: For the Particulars whereof, together with the Expences accruing thereon, I shall refer you to the Treaty itself, and the Commissioners, who are Members of your House.

'I have received a Letter from the Right Honourable the Earl of *Holderness*, one of his Majesty's principal Secretaries of State, which, with others of the like Tenor to all his Majesty's Governors on the Continent, was sent Express by a Sloop of War to *Virginia*; wherein his Majesty lays his Royal Commands on me, in case the Subjects of any foreign Prince shall have presumed to make Encroachments, erect Forts, or commit any other Hostilities within his Majesty's Dominions, if, after representing to them the Injustice of their Proceedings, they do not desist, to draw forth the armed Force of the Province, and to endeavour to repel Force by Force; and to call the Assembly, and to engage them to grant such Supplies as the Exigency of Affairs may require. Whilst I was preparing to make the Requisition enjoined by his Majesty, I received a Letter from Governor *Dinwiddie*, informing me that he had dispatched Major *Washington* on that Service, to the Fort lately built on the *Ohio* by the *French*, and an Express has this Week brought me Governor *Dinwiddie's* Account of that Gentleman's Return, with the Answer of the Commander of the Fort, who avows the Hostilities already committed, and declares his Orders from the King of *France* are to build more Forts, take Possession of all the Country, and oppose all who shall resist, *English* as well as *Indians*, and that he will certainly execute these Orders as early as the Season will permit.

'Gentlemen, *French* Forts and *French* Armies so near us will be everlasting Goads in our Sides; our Inhabitants from thence will feel all the Miseries and dreadful Calamities that have been heretofore suffered by our neighbouring Colonies; all those Outrages, Murders, Rapines and Cruelties, to which their People have been exposed, are now going to be experienced by ourselves, unless a Force be immediately raised sufficient to repel these Invaders. It is to be hoped therefore, that, as loyal Subjects to his Majesty, and in Justice to your Country, you will not fail to take into your Consideration the present Exigency of Affairs, and, as it will be attended with a very considerable Expence, and require a large Number of Men, make Provision accordingly, that I may be enabled to do what his Majesty, as well as the neighbouring Colonies will expect from a Government so populous, and likely to be so nearly affected with the Neighbourhood of *French* Garrisons.

'I have further to inform you, that I have received a Letter from the Right

'Honourable

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'Honourable the Lords of Trade, dated the Eighteenth Day of *September* laſt, informing 'me, that his Majeſty has ordered an Interview to be held the next Summer at *Albany*, 'with the *Six Nations*, and a large Preſent to be there diſtributed, and deſiring I will 'lay this Matter before you, and recommend to you to make Proviſion for appointing 'Commiſſioners, to be joined with thoſe of the other Governments, and for *Indian* 'Preſents; and it being left to the Governor of *New-York* to appoint the Time of this 'Interview, he has informed me by Letter that he has fixed the Thirteenth or Four-'teenth of *June* next for that Purpoſe; further acquainting me, that the Lords of Trade 'have recommended it to him, to take Care that all the Provinces be (if practicable) 'compriſed in one general Treaty to be made in his Majeſty's Name, it appearing to 'their Lordſhips that the Practice of each Province making a ſeparate Treaty for itſelf 'in its own Name, is very improper, and may be attended with great Inconveniences 'to his Majeſty's Service.

'Several Letters have paſſed between me and the Governors of *Virginia*, *New-York* 'and the *Maſſachuſetts*, in which they make this Province the Tender of their Aſſiſtance, 'expreſs an hearty Deſire of acting in Concert with us againſt his Majeſty's Enemies; 'concur in Sentiment with his Majeſty's Miniſters of the Neceſſity of a general Union 'of all the Provinces, both in Councils and Forces: And as Experience, the beſt of 'Inſtructors, makes it evident beyond a Doubt, that without this, his Majeſty's Colo-'nies in *America* are in Danger of being ſwallowed up by an Enemy, otherwiſe much 'inferior to them in Strength and Numbers, I moſt earneſtly recommend it to you, and 'hope what is ſo well and juſtly ſaid on this and other Matters, by Lord *Holderneſſe*, 'the Lords of Trade and the neighbouring Governors, will have their full Force and 'Weight with you in your Deliberations.

'The ſeveral Matters ſet forth in the late Treaty at *Carliſle*, evince the Neceſſity of 'appointing ſome Perſon to reſide at *Ohio* among the *Indians* there, in whom the Go-'vernment can place a Confidence; and, unleſs you can engage ſome ſuch Perſons, you 'muſt be ſenſible that your Preſents will be of little Uſe, and the *Indians* will be 'loſt to the *Engliſh* Intereſt.

'You will likewiſe do the Public great Service, if, together with this neceſſary Mea-'ſure, you will take the *Indian* Trade into your Conſideration, and put it into ſome Or-'der, for I am entirely of Opinion with the Commiſſioners, that this is abſolutely ne-'ceſſary, as well for the *Indians* as for ourſelves; and ſhould be pleaſed it was well con-'ſidered, and a Bill prepared for the Purpoſe.

'Gentlemen, there is ſo much to be done, and ſo little Time to do it in, the Seaſon 'being ſo far advanced, and Governor *Dinwiddie* expecting the Forces from this Province 'to join thoſe of *Virginia*, early in *March*, on *Potowmack*, that I moſt earneſtly entreat 'you will not delay the Supplies, nor deal them out with a ſparing Hand, but uſe all 'the Expedition in your Power, for you will undoubtedly agree with me, that ſo alarm-'ing an Occaſion has not occurred ſince the firſt Settlement of the Province, nor any one 'Thing happened that ſo much deſerves your ſerious Attention.

'The Secretary has my Orders to lay before you the ſeveral Letters and Papers men-'tioned in this Meſſage, or otherwiſe neceſſary to give you a perfect Knowledge of all 'Matters you may want to be informed of in the Courſe of your Deliberations.

February 14, 1754. *JAMES HAMILTON.*"

The Letters from the Earl of *Holderneſſe*, and the Lords of Trade, mentioned in the above Meſſage, are as follow, *viz.*

SIR, *Whitehall, Auguſt* 28, 1753.

Letter from Lord *Holderneſſe*.

'HIS Majeſty having received Information of the March of a conſiderable Number 'of *Indians*, not in Alliance with the King, ſupported by ſome regular *European* 'Troops, intending, as it is apprehended, to commit ſome Hoſtilities on Parts of his 'Majeſty's Dominions in *America*: I have the King's Commands to ſend you this In-'telligence, and to direct you to uſe your utmoſt Diligence to learn how far the ſame 'may be well grounded, and to put you upon your Guard, that you may at all Events be 'in a Condition to reſiſt any hoſtile Attempts that may be made upon any Parts of his 'Majeſty's Dominions within your Government; and to direct you, in the King's Name, 'that in caſe the Subjects of any foreign Prince or State ſhould preſume to make any 'Incroachment on the Limits of his Majeſty's Dominions, or to erect Forts on his 'Majeſty's Lands, or commit any other Act of Hoſtility, you are immediately to re-'preſent the Injuſtice of ſuch Proceedings, and to require them forthwith to deſiſt from 'any ſuch unlawful Undertaking: But if, notwithſtanding your Requiſition, they ſhould 'ſtill perſiſt, you are then to draw forth the armed Force of the Province, and to uſe 'your beſt Endeavours to repel Force by Force. But as it is his Majeſty's Determi-'nation not to be the Aggreſſor, I have the King's Commands moſt ſtrictly to enjoin 'you not to make Uſe of the armed Force, under your Direction, excepting within the 'undoubted Limits of his Majeſty's Dominions. And whereas it may be greatly

'conducive

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'conducive to his Majeſty's Service, that all his Provinces in *America* ſhould be aiding 'and aſſiſting each other in caſe of any Invaſion, I have it particularly in Charge from 'his Majeſty to acquaint you, that it is his Royal Will and Pleaſure, that you ſhould 'keep up an exact Correſpondence with all his Majeſty's Governors on the Continent; 'and in caſe you ſhall be informed by any of them of any hoſtile Attempts, you are 'immediately to aſſemble the General Aſſembly within your Government, and lay be-'fore them the Neceſſity of a mutual Aſſiſtance; and engage them to grant ſuch Sup-'plies as the Exigency of Affairs may require. I have wrote by this Conveyance to all 'his Majeſty's Governors to the ſame Purpoſe.

I am, Sir, your moſt obedient humble Servant,
HOLDERNESSE."

SIR, *Whitehall, September* 18, 1753.

Letter from the Lords of Trade.

'HIS Majeſty having been pleaſed to order a Sum of Money to be iſſued for Pre-'ſents to the *Six Nations* of *Indians*, and to direct his Governor of *New-York* to 'hold an Interview with them, for delivering theſe Preſents, for burying the Hatchet, 'and for renewing the Covenant Chain with them, we think it our Duty to acquaint 'you therewith. And as we find it has been uſual upon former Occaſions, when an 'Interview has been held with theſe *Indians*, for all his Majeſty's Colonies, whoſe In-'tereſt and Security is connected with, and depends upon them, to join in ſuch Interview; 'and, as the preſent Diſpoſition of thoſe *Indians*, and the Attempts which have been 'made to withdraw them from the *Britiſh* Intereſt, appear to us to make ſuch a general 'Interview more particularly neceſſary at this Time, we deſire you will lay this Matter 'before the Council and General Aſſembly of the Province under your Government, 'and recommend to them forthwith to make a proper Proviſion for appointing Com-'miſſioners, to be joined with thoſe of the other Governments, for renewing the Cove-'nant Chain with the *Six Nations*, and for making ſuch Preſents to them as has been uſual 'upon the like Occaſions. And we deſire that, in the Choice and Nomination of the Com-'miſſioners, you will take Care that they are Men of Character, Ability and Integrity, 'and well acquainted with *Indian* Affairs.

'As to the Time and Place of Meeting, it is left to the Governor of *New-York* to 'fix it, and he has Orders to give you early Notice of it.

We are, Sir, your very loving Friends,
and humble Servants,
DUNK HALIFAX,
J. GRENVILLE,
DUPPLIN."

And a Letter from the Commandant of the *French* Forces on *Ohio*, to Governor *Dinwiddie*, alſo ſent down with the foregoing Meſſage, was read, and follows in theſe Words, *viz.*

MONSIEUR,

COMME j'ai l'Honneur de commander ici en Chef, Monſieur Waſhington *m'a remis la Lettre que vous écriviez au Commandant des Troupes* Françoiſes. *J'aurois été charmé que vous lui euſſiez donné Ordre, ou qu'il eût été diſpoſé à ſe rendre en* Canada, *pour voir Monſieur nôtre Général, auquel il appartient mieux qu'à moi, de mettre au jour l'Evidence & la Réalité des Droits du Roi mon Maître ſur les Terres ſituées le long de la* Belle Riviere, *& de conteſter les Prétentions du Roi de la* Grande Bretagne *à cet égard.*

Je vais addreſſer vôtre Lettre à Monſieur le Marquis Duquiſne; *ſa Réponſe me ſervira de Loi, & s'il m'ordonne de vous la communiquer, Monſieur, je puis vous aſſurer, que je ne negligerai rien pour vous la faire tenir promptement.*

Quant à la Sommation que vous me faites de me retirer, je ne me crois pas dans l'Obligation de m'y rendre; quelques que puiſſent être vos Inſtructions, je ſuis ici en vertu des Ordres de mon Général, & je vous prie, Monſieur, de ne pas douter un Inſtant que je ſuis dans la conſtante Reſolution de m'y conformer avec toute l'Exactitude, & la Fermeté que l'on peut attendre du meilleur Officier.

J'ignore que dans le Cours de cette Campagne il ſe ſoit rien paſſé qui puiſſe être reputé pour Acte d'Hoſtilité, ni qui ſoit contraire aux Traités qui ſubſiſtent entre les deux Couronnes, dont la Continuation nous intereſſe, & nous flatte autant que Meſſieurs les Anglois. *S'il vous eût été agréable, Monſieur, d'en venir ſur ce Point à un Détail particulier des Faits que motivent vôtre Plainte, j'aurois eu l'Honneur de vous répondre de la Façon la plus poſitive, & je ſuis perſuadé que vous auriez eu lieu d'être ſatisfait.*

Je me ſuis fait un Devoir particulier de recevoir Monſieur Waſhington *avec la Diſtinction qui convient à vôtre Dignité, à ſa Qualité, & à ſon grand Mérite; je puis me flatter qu'il*

qu'il me rendra cette Juſtice auprès de vous, Monſieur, & qu'il vous fera connoître ainſi que moi le Reſpect profond avec lequel je ſuis, Monſieur,

1754. *February* 14.

Du Fort de la Riviere au *Bœuf*,
le 15 *Decembre*, 1753.

Votre tres humble
& trés obéïſſant Serviteur,
LEGARDEUR DE ST. PIERRE.

TRANSLATED INTO *ENGLISH.*

SIR,

'AS I have the Honour to command here in Chief, Mr. *Waſhington* delivered to me the Letter which you directed to the Commandant of the *French* Troops. I ſhould have been pleaſed if you had given him Orders, or if he himſelf had been diſpoſed to viſit *Canada* and our General, to whom, rather than to me, it properly appertains to demonſtrate the Reality of the King my Maſter's Right to the Lands ſituated along the *Ohio*, and to diſpute the Pretenſions of the King of *Great-Britain* in that reſpect. I ſhall immediately forward your Letter to Monſieur le Marquis *Duquiſne*; his Anſwer will be a Law to me: And if he directs me to communicate it to you, I aſſure you, Sir, I ſhall neglect nothing that may be neceſſary to convey it to you with Expedition.

A Letter from the Commandant of the *French* Forces on *Ohio*.

'As to the Requiſition you make, that I retire, I cannot believe myſelf under any Obligation to ſubmit to it. I am here in Virtue of my General's Orders; and I beg, Sir, that you would not doubt a Moment of my fixt Reſolution to conform to them, with all the Exactitude and Steadineſs that might be expected from a better Officer.

'I do not know that, in the Courſe of this Campaign, any Thing has paſſed that can be eſteemed an Act of Hoſtility, or contrary to the Treaties ſubſiſting between the two Crowns, the Continuation of which is as intereſting and pleaſing to us as it can be to the *Engliſh*.

'If it had been agreeable to you, Sir, in this Reſpect, to have made a particular Detail of the Facts which occaſion your Complaint, I ſhould have had the Honour of anſwering you in the moſt explicite Manner, and I am perſuaded you would have had Reaſon to be ſatisfied.

'I have taken particular Care to receive Mr. *Waſhington* with all the Diſtinction ſuitable to your Dignity, and to his Quality and great Merit; I flatter myſelf that he will do me this Juſtice, and join with me in teſtifying the profound Reſpect with which I am, Sir,

From the Fort of Beef-River,
December 15, 1753.

Your moſt humble, and moſt obedient Servant,
LEGARDEUR DE ST. PIERRE."

A Petition from the Owners of the Meadow Land, and other Ground, lying near the Road from *Philadelphia* to the *Point Ferry Houſe*, oppoſite to *Glouceſter*, was preſented to the Houſe and read, ſetting forth, that the ſaid Road leading from the Faſt Land to the ſaid Ferry is very uſeful and much frequented, but not being laid out by any Order of Court, is made too narrow, and having a Ditch on each Side, Carriages cannot paſs each other; that many horned Cattle are driven along the ſaid Road, and being generally wild and ungovernable, are dangerous and terrifying to Travellers, eſpecially Women; that the ſaid Road being narrow, has been frequently broke through, and rendered impaſſable by Storms, and high Tides, and the repairing ſuch Breaches is attended with conſiderable Difficulty, there not being a ſufficient Quantity of Gravel or ſuitable Earth near them; that if the ſaid Road was laid out of a ſufficient Breadth, not leſs than Eighty Feet, it would not only be much more capable to reſiſt the Weight and Violence of the Water, but there would be alſo ſufficient Earth and Materials for ſupporting the ſame; that the Petitioners have expended great Sums on the Repairs from Time to Time, and ſee no Hopes of putting an End to ſo grievous a Charge and Burden, unleſs the ſaid Road is made wider than the common Highways, which they conceive may be beſt effected by an Act of Aſſembly: They therefore pray that this Houſe would conſider the Premiſes, and grant the Petitioners Leave to bring in a Bill for the Purpoſes aforeſaid.

Ordered to lie on the Table.

Then the Houſe adjourned to Three o'Clock, *P. M.*

Adjournment *Poſt Meridiem.*

A Petition from ſundry Retailers of ſpirituous Liquors in this Province was preſented to the Houſe and read, ſetting forth, that the Exciſe laid on the ſpirituous Liquors retailed within this Province is a heavy Tax, the Weight of which principally lays on the Retailers; that they conceive, that if the Importers of ſuch Liquors were to pay a Duty of but *One-penny Halfpenny per* Gallon, upon the Importation, it would amount to more than the Exciſe now paid by them, as may be ſeen by a Paper annexed, and eaſe the Inhabitants of a conſiderable Burden; that one Perſon might then collect the Whole of the ſaid Duty, by which Means the Expence of ſupporting ſo many Exciſe Officers, and the Riſk to the Province of making bad Debts, will be much leſſened.

1754. February 14.

The Paper referred to in the above Petition was alſo read, and is as follows, *viz.*

An Account of the Quantity of Rum and Wine imported into the Port of Philadelphia, *in the Province of* Pennſylvania *(as taken from the Collector's Books of his Majeſty's Cuſtoms for the ſaid Port) from the Firſt Day of* Auguſt, 1752, *to the Thirty-firſt Day of* July, 1753.

Rum				Wine		
Hhds.	Puncheons	Tierces	Barrels	Pipes	Hhds.	Qr. Caſks
3118	150	200	47	1449	30	188

ABRAHAM TAYLOR, Collector.

The Amount of the above being on or near a Computation, — 526,700 Gallons.
Allow for what is diſtilled here, —— —— 80,000
are 606,700 Gallons.

Ordered to lie on the Table.

A Petition from ſundry Merchants, and Practitioners in the Law, living in the City of *Philadelphia*, ſetting forth the great Advantages that a Bridge over *Coneſtogoe* Creek would be of to the Inhabitants of this Province in general, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Ordered, That Candles be brought in.

And they were brought in accordingly.

Ordered, That a Meſſage be now prepared and ſent to the Governor, with the Bill for ſtriking *Forty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; which being accordingly done, was read, approved of, and ordered to be tranſcribed.

The Meſſage being tranſcribed, follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor.

WE gratefully acknowledge the Governor's Care in all our *Indian* Affairs, and more particularly at this critical Juncture; it therefore cannot but be very agreeable to us to find he has already ſo far recovered his Health as to join with us in the Public Buſineſs now before the Houſe.

The diſtreſſed Circumſtances of the *Indians*, our Allies, on the River *Ohio*, demand our cloſeſt Attention, and we ſhall not fail to proceed in the Matters contained in the Governor's Meſſage with all the Diſpatch an Affair of ſo much Importance will admit of, in which we doubt not to comply with every Thing that can be reaſonably expected on our Part.

In the mean Time, having ſome Days ſince prepared a Bill, which we conceive abſolutely neceſſary, not only to the Trade and Welfare of this Province, but to the Support of Government, upon the Succeſs of which our Deliberations, at this Time, muſt in a great Meaſure depend; we now lay it before him as a Bill of the utmoſt Importance, and to which we unanimouſly requeſt he would be pleaſed to give his Aſſent."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Joſeph Hampton* and *Peter Worral* do wait upon the Governor, and deliver the ſame.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 15.

The Gentlemen appointed to wait upon the Governor with the Bill for ſtriking *Forty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province; and the Meſſage of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would take the Bill into Conſideration, and give it all the Diſpatch his Indiſpoſition would admit of.

The Accounts of the Provincial Hoſpital being laid before the Houſe by the Managers, in Purſuance of the Act of Aſſembly for eſtabliſhing the ſaid Hoſpital.

Ordered, That *Joſeph Trotter*, *William Callender*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *John Armſtrong*, *Moſes Starr* and *William Parſons* be a Committee to inſpect the ſaid Accounts, and to viſit the Hoſpital, and report the State thereof to the Houſe.

The Committee appointed to inſpect the Laws of this Province, *&c.* made their Report in Writing, which was read, and is as follows, *viz.*

Report of the Committee on Laws, *&c.*

WE, the Committee appointed to conſider what Laws of this Province are expired or near expiring, and what others need Amendment, *&c.* do report,

That the Act for the new Appointment of Truſtees, *&c.* paſſed in the Twenty-ſecond Year of the preſent Reign, is, ſo far as relates to that Appointment, now expired.

That the ſeveral Acts for eſtabliſhing of Ferries, except that for the Middle Ferry on *Schuylkill*, are expired.

That the Term of one Year mentioned in the Act for the Continuance of an Act, entituled,

entituled, *An Act for the better ſecuring the City of* Philadelphia *from the Danger of Gunpowder*, is expired; and as the preſent Situation of the Powder-houſe is inconvenient and dangerous to the Neighbourhood, of late Years grown much thicker, we think the Powder might be better placed at the Battery, below the Town, where we underſtand a Powder-houſe is already erected. 1754. *February* 15.

That the Laws relating to Roads want ſome Amendment, at leaſt to accommodate them to the particular Circumſtances of ſome Roads and Streets.

That the Act for prohibiting the Importation of *Germans*, or other Paſſengers in too great Numbers in one Veſſel, is defective, in not directing the Room each Freight ſhall have in Height, as well as in Length and Breadth; and alſo needs ſome other Proviſions to prevent the Abuſes thoſe poor Strangers complain of; and alſo to prevent the Importation of *German* Papiſts and Convicts.

That it might be of Uſe to both Landlords and Tenants, and prevent chargeable Suits for ſmall Dues, if Actions of Debt for Rent under *Five Pounds*, were not excepted in the *Five Pound* Act.

That as ſome Doubts have ariſen, whether Perſons under Age are bound by their Covenants to ſerve as Apprentices or Servants, it may be proper to aſcertain that Matter by a Law.

That there ſeems a Neceſſity of providing ſome Law to puniſh more effectually the Counterfeiters of Gold and Silver Coin, and the Paper Currency of the neighbouring Colonies paſſing in this Province. And alſo to prevent the paſſing of Counterfeit *Engliſh* Halfpence, which are now bringing in in great Quantities.

That great Frauds are complained of in the making up of Hemp for Sale in this Province, and in the packing of Butter for Exportation; and as nothing is more to the Reputation of a People, and the Advantage of Commerce, than Faithfulneſs in making up their Wares and Merchandize, we think a Law to remedy the above Evils will be very uſeful.

That if the ſeveral Poor Acts were reviſed, and reduced to one, we think it would be more convenient than to have them, as at preſent, diſperſed in the Book.

That the Clauſe relating to Witchcraft, in the Act for the Advancement of Juſtice, as it brings over a Statute ſince repealed, and ſeems unneceſſary here, may as well be repealed, and the Subſtance of the Statute made inſtead of it, in the Ninth of the preſent Reign, brought over in its Place.

That for the better Preſervation of the *Engliſh* Language in this Province, it may be proper to require by a Law, that all written Contracts be in *Engliſh*, and to give ſome Encouragement to *Engliſh* Schools in thoſe Parts of the Province where Foreigners are thick ſeated.

And that a Law for regulating the *Indian* Trade is, in our Opinion, now become abſolutely neceſſary.

All which is nevertheleſs humbly ſubmitted to the Houſe by

EVAN MORGAN, BENJAMIN FRANKLIN,
JOSEPH TROTTER, WILLIAM CALLENDER."
JOSEPH FOX,

Ordered to lie on the Table.

The Meſſage from the Governor was again read, and conſidered, and the further Conſideration thereof referred to the Afternoon.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Petition of divers Inhabitants of this Province, relating to the Exciſe, was again read, and conſidered, and *Ordered to lie on the Table.*

The Meſſage from the Governor was again read, and conſidered, together with ſeveral of the Papers referred to therein, and the further Conſideration thereof was referred to To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *February* 16.

The Meſſage from the Governor was again read, and after a conſiderable Time ſpent thereon, the ſame was referred to further Conſideration.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment *February* 18. *Poſt Meridiem.*

The Houſe met purſuant to their Adjournment.

A Petition from *Iſaac Garriques*, of the City of *Philadelphia*, Cooper, was preſented to the Houſe and read, ſetting forth, that the Petitioner ſome Time ſince made Application to this Houſe, for the Office of Culler of Staves and Heading, in the ſaid City, and being now informed that a Bill is preparing, wherein it will be neceſſary that ſuch an Officer be named; he therefore renews his Requeſt, that this Houſe would be pleaſed to nominate and appoint him to the ſaid Office.

Ordered to lie on the Table.

The Houſe again proceeded upon the Conſideration of the Meſſage from the Governor, and after ſome Time ſpent therein, referred the ſame to farther Conſideration To-morrow Morning.

Then

1754. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 19. The Account of Money lately paid on account of *Indian* Expences by the Truſtees of the General Loan-Office, being laid before the Houſe and read;

Ordered, That the ſaid Account be referred to the Committee of Accounts.

Then the Houſe proceeded to the Conſideration of the Governor's Meſſage; and ſeveral of the Papers relating thereto, were again read, and referred to further Conſideration.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor, by his Secretary, ſent down to the Houſe the Bill for ſtriking *Forty Thouſand Pounds*, to be made current and emitted on Loan, and for re-emitting and continuing the Currency of the Bills of Credit of this Province, with a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'AS neither my Inclination, the Shortneſs and Urgency of the Time, nor the Circumſtances of my Health, will admit of my engaging in Controverſy on the Subject of the Paper Money Bill, lately preſented for my Approbation, I will cut off all Occaſions for that, by giving, as I hereby do, an abſolute Negative to the Bill.

'You cannot but be ſenſible, Gentlemen, that the Funds you are now poſſeſſed of, which are to continue yet for ſeveral Years without Diminution, are greatly more than ſufficient for the Support of Government; and notwithſtanding what you are pleaſed to ſay of your "preſent Deliberations depending in a great Meaſure upon the Succeſs of your Money Bill," I promiſe myſelf I ſhall find you much better Subjects to his Majeſty, as well as greater Lovers of your Country than to ſuffer your Duty to the One, or your Zeal for the Preſervation of the other, to be governed by a Concurrence or Diſagreement of Sentiments between you and me, upon a Point in which each of us have an independant Right to judge for ourſelves.

'If, however, you ſhould be of Opinion, that there will be a Neceſſity to ſtrike a further Sum in Bills of Credit, to defray the Charges of raiſing Supplies for his Majeſty's Service in this Time of imminent Danger, and will create a proper Fund or Funds for ſinking the ſame in a few Years, I will concur with you in paſſing a Law for that Purpoſe, thinking myſelf ſufficiently warranted ſo to do, in Caſes of real Emergency.

'And now, Gentlemen, I hope you will, upon due Conſideration, be of Opinion with me, that the chief End of your Bill will be hereby, in a great meaſure anſwered, as the Sum to be ſtruck and circulated upon this Occaſion, will be ſuch an Addition to your preſent Currency, as probably may be thought ſufficient for ſome Time.

'I have nothing farther to ſay at preſent but to thank you for your Acknowledgements of my Care in *Indian* Affairs, and to preſs you to haſten your Reſolutions upon the Matters recommended in my laſt Meſſage, that I may as ſoon as poſſible be able to acquaint the Governor of *Virginia* what Aſſiſtance he may expect from this Province.

February 19, 1754. *JAMES HAMILTON.*"

And the ſaid Meſſage being again read, and conſidered, was referred to further Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 20. A Meſſage from the Governor, by the Secretary;

SIR,

'I have his Honour's Command to acquaint the Houſe, that *Andrew Montour* and *John Pattin*, two Meſſengers ſent by him to *Ohio*, are returned, and that a Council will be called this Afternoon, when the Governor expects he will have ſomething prepared, ſo as to be ready to lay before the Houſe To-morrow Morning; and that he ſhall direct *Montour* and *Pattin* to give their Attendance, in order to anſwer ſuch Queſtions as the Houſe may incline to aſk them."

Then the Secretary withdrew.

The Houſe then proceeded upon the Conſideration of the Governor's Meſſage, ſent down with the Paper Money Bill, and, after a conſiderable Time ſpent thereon, referred it to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor's Meſſage of the Fourteenth Inſtant was read, together with ſeveral of the Papers referred to therein, and after ſome Debate, the ſame was referred to further Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 21. The Houſe again proceeded upon the Conſideration of the Governor's Meſſage of the Fourteenth Inſtant.

The Governor, by his Secretary, ſent down to the Houſe ſundry Papers relating to *Indian* Affairs, among which was an Account of *George Croghan's*, for carrying the Preſent given the *Indians* at *Carliſle* to *Ohio*, &c. which Account was read, and referred to the

the Committee of Accounts, and the Consideration of the other Papers, was referred to the Afternoon. 1754. *February* 21.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

The House proceeded in the Consideration of the Papers laid before them by the Governor, relating to *Indian* Affairs, and, after some Time spent therein, referred the further Consideration thereof till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *February* 22.

The House proceeded in considering the Papers relating to *Indian* Affairs, and, after a considerable Time spent thereon;

Ordered, That *Andrew Montour* and *John Pattin* do attend this House in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Andrew Montour and *John Pattin* giving their Attendance according to Order, were called in, and having answered such Questions as were put to them by the House, were directed to withdraw.

Ordered, That *Evan Morgan* and *Joseph Fox* wait upon the Governor, and acquaint him, that the House having gone through, and maturely considered the several Papers relating to *Indian* Affairs, which he hath laid before them at this Sitting; and also examined his Messengers, concerning what they know in Relation to the Disposition of the *French* and *Indians* on *Ohio*, &c. desire to know if he hath any Thing more to communicate to the House that would give them further Light therein, or be of Use to them in their Deliberations thereupon.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *February* 23.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he had not withheld any Thing from the House relating to the *Indian* Affairs now under their Consideration.

The Message from the Governor of the Fourteenth Instant was again read, Paragraph by Paragraph, and debated, and, after a considerable Time spent thereon, the same was referred to further Consideration.

Ordered, That *John Armstrong* have Leave to be absent the Remainder of this Sitting on urgent Business.

Then the House adjourned to next *Second-day*, at Three o'Clock in the Afternoon. Adjournment *February* 25.

The House met pursuant to their Adjournment. *Post Meridiem.*

The Message from the Governor of the Fourteenth Instant was again read, and considered, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *February* 26.

The Governor's Message of the Fourteenth Instant was again read, and considered, and the further Consideration thereof referred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The House proceeded upon the Consideration of the Governor's Message of the Fourteenth Instant, and, after a considerable Time spent thereon;

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper* and *John Armstrong* be a Committee to prepare a Draught of an Answer to the same, and report it to the House.

Ordered, That *Joshua Morris*, *Benjamin Franklin*, *William Callender*, *Griffith Owen* and *George Ashbridge* be a Committee to prepare and bring in a Bill for the better regulating the *Indian* Trade of this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *February* 27.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message of the Fourteenth Instant, reported the same to the House, and it was read, agreed to, with some Amendments, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Ordered, That Candles be brought in.

And they were brought in accordingly.

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

THE unusual Manner in which the Governor has been pleased to refuse his Assent to a Bill of the greatest Importance to the Prosperity and Welfare of this Province, appears to us particularly unfortunate at this Time, when an easy Access to the Governor, and free Conferences with each other, would so naturally tend to cement the several Branches of the Legislature, by the strong Ties of their mutual Interest, notwithstanding any supposed independent Rights on either Part. Yet as we apprehend it our Duty, under these Difficulties, and in all Circumstances, to contribute whatever lies in our A Message from the Assembly to the Governor.

1754. *February* 27. Power towards preſerving or reſtoring this Harmony, we have referred that Part of the Governor's Meſſage to be conſidered independent of the Royal Commands, and other preſſing Affairs recommended to us at this Time, in order that no ſeparate Intereſts of our own, which can poſſibly be avoided, may interfere with the Common Good of theſe his Majeſty's Colonies on the Continent of *America*.

Under theſe Conſiderations we have deliberately conſidered the other Matters contained in the Governor's Meſſages, and Letters to which they refer, in which we cannot but obſerve ſome Differences between the Royal Orders, ſignified by the Earl of *Holderneſſe's* Letter, as well as the Letter from the Lords of Trade, of the Eighteenth of *September* laſt, and the Light in which the Governor is pleaſed to repreſent them in his Meſſage of the Fourteenth Inſtant, for which Reaſon we ſhall undoubtedly ſtand excuſed if we recur to the Letters themſelves for the Rule of our Conduct in this great Affair.

The Earl of *Holderneſſe*, in his Letter of the Twenty-eighth of *Auguſt* laſt, has very minutely and preciſely directed the ſeveral Steps to be taken, and the Cautions to be uſed by the Governors of the Colonies, in regard to their own Defence, or when called upon by the neighbouring Provinces, or any others of his Majeſty's Colonies, for their mutual Aſſiſtance in Support of the general Intereſt of the *Britiſh* Dominions on the Continent; in which, as it is his Majeſty's Determination not to be the Aggreſſor, they are moſt ſtrictly commanded and enjoined, not to make Uſe of an armed Force, excepting within the undoubted Limits of his Dominions, and in that Caſe, under ſuch Reſtrictions only as are particularly ſet forth in the Royal Order.

As it would be highly preſumptuous in us to pretend to judge of the undoubted Limits of his Majeſty's Dominions on the Continent, ſo neither ought we to fix the Boundaries of this Province, beyond which, we apprehend, our own Forces are ſtrictly enjoined by no means to act as Principals, eſpecially as the Governor has not been pleaſed to furniſh us with any Materials for that Enquiry, were we ſo inclined, or were we the proper Judges; nor has he made the neceſſary Requiſition, or called upon us to reſiſt any hoſtile Attempts made upon any Part of his Majeſty's Dominions within this Government, but to grant ſuch a Supply as might enable him to raiſe Forces, to be ready to join thoſe of *Virginia* early in *March*, upon *Potowmack*. Under theſe Circumſtances, we hope, the Governor will concur with us, the moſt prudent Part will be to wait the Reſult of the Government of *Virginia*, as there is no Proviſion yet made there, ſo far as we know, for the raiſing any Forces on this Occaſion; nor in *Maryland*, their neighbouring Colony, or *New-Jerſey*, equally engaged in the general Intereſt of the *Britiſh* Dominions on this Continent, though the Governors have called upon their reſpective Aſſemblies for that Purpoſe, in Purſuance of the Royal Command ſignified to them in the circular Letter from the Earl of *Holderneſſe*, as above; and this Caution, we preſume, is more eſpecially becoming us, as it is well known the Aſſemblies of this Province are generally compoſed of a Majority who are conſcientiouſly principled againſt War, and repreſent a well-meaning peaceable People, deeply ſenſible of the great Favours, Protection and Privileges they enjoy under the preſent Royal Family, and therefore ready and willing to demonſtrate their Duty and Loyalty, by giving ſuch Sums of Money to the King's Uſe, upon all ſuitable Occaſions, as may conſiſt with our Circumſtances, or can be reaſonably expected from ſo young a Colony.

By the Accounts now before us, we find we have contracted a Debt of about *Fourteen Hundred Pounds*, for Preſents to the *Indians*, and other Charges ariſing from the late Treaty held at *Carliſle*, which we ſhall diſcharge chearfully, notwithſtanding our Proprietaries refuſe to contribute any Part of our *Indian* Expences, which have increaſed upon us exceedingly within theſe few Years; nevertheleſs we return our Acknowledgements to the Governor for his Care and prudent Conduct on that Occaſion, as well as to the Gentlemen who, under the Governor's Commiſſion, held the Treaty at that critical Juncture, to our Satisfaction, and, we hope, not only to our own, but to the general Intereſt of theſe Colonies, by demonſtrating to our *Indian* Allies the good Faith with which the Subjects of *Great-Britain* fulfil their Treaties, and the ready Aſſiſtance they may depend on under their Wants and Neceſſities.

The Letter from the Lords of Trade having left both the Time and Place of holding a Treaty with the *Six Nations*, to the Governor of *New-York*, he has thought fit to appoint it to be held at *Albany*, on the Thirteenth or Fourteenth of *June* next, as the Governor has been pleaſed to inform us: However inconvenient it may appear to us to hold our Treaties with the *Indians* at *Albany*, yet as all his Majeſty's Colonies, whoſe Intereſt and Security are connected with, or depend upon, the *Six Nations*, are invited to join in this Interview, if the Governor ſhould think it may be for the Intereſt or Advantage of this Province, to appoint Commiſſioners to be joined with thoſe of the other Governments on this Occaſion, we ſhall be willing to make the proper Proviſion for that Purpoſe, together with a ſmall Preſent; but as we have been already at ſo conſiderable

siderable an Expence at our late Treaty, it cannot be expected, nor do we apprehend it would answer any good Purpose, to make it very large at this Time. 1754. February 27.

We are now to join with the Governor, in bewailing the miserable Situation of our *Indian* Trade, carried on (some few excepted) by the vilest of our own Inhabitants, and Convicts imported from *Great-Britain* and *Ireland*, by which Means the *English* Nation is unhappily represented among our *Indian* Allies in the most disagreeable Manner. These trade without Control, either beyond the Limits, or at least beyond the Power of our Laws, debauching the *Indians* and themselves with spirituous Liquors, which they now make, in a great Measure, the principal Article of their Trade, in direct Violation of our Laws, supplied, as we are informed, by some of the Magistrates who hold a Commission under this Government, and other Inhabitants of our back Counties. These Laws now in Force, if duly put in Execution, we hope, would in a great Measure redress the Grievances complained of; but that no Endeavours may be wanting on our Part, we have appointed a Committee to consider if any Thing further in our Power can be done to remedy these Evils, and to bring in a Bill accordingly."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *William Callender* and *Calvin Cooper* wait upon the Governor and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would consider it, and return an Answer to the House if he found it required one. *February* 28.

A Letter from the Agent, just received, was laid before the House by one of the Committee of Correspondence, and read, and *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

A Message from the Governor, by the Secretary.

SIR,

'The Governor desires to have those Papers returned to him, which were sent down 'with his Message of the Fourteenth Instant; and if the House should have any further 'Occasion for them, they shall be sent down again."

And the said Papers being accordingly delivered to the Secretary, by Order of the House, he withdrew.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *March* 1.

A Message from the Governor, by the Secretary.

SIR,

'The Governor commands me to acquaint the House, that observing among the Mi-'nutes of the last Assembly a Paper which he apprehended to be highly injurious to his 'Character, he had prepared an Answer thereto, which he would have laid before them 'at the Beginning of the Sessions, but being unwilling, for any private Consideration 'of his own, to divert the Attention of the House from the important Matters he then 'recommended to them, he has delayed it till this Time, when he understands they 'have not much Business before them."

And the Secretary being withdrawn, the written Message he brought down from the Governor was read, and follows in these Words, *viz.*

GENTLEMEN,

'UPON perusing the printed Minutes of your House of the Eleventh of *September* 'last, I find myself published to the World in so injurious a Light, merely for 'having paid Obedience to an Instruction from his Majesty, that I must not, in Duty to 'the King, as well as Justice to my own Character, suffer it to pass without some Ani-'madversion. And although you may not think yourselves accountable for the Con-'duct of a former Assembly, yet as the present House is made up of a great Majority of 'the same Members that composed the last, I shall not make any Apology for addressing 'myself to you as the Authors of the undeserved as well as unprovoked Treatment I 'complain of. A Message from the Governor to the Assembly.

'The Paper I refer to is the Report of a Committee of Assembly, appointed to con-'sider my Message of the Seventh of *September*, unanimously approved by the House; 'in which Report are pretty plainly contained the following Insinuations and Charges 'against me, *viz.*

"That I have not paid the same Regard to the Requests of your House as my Prede-"cessor did to the Sentiments of a former Assembly, on the like Occasion.

"That I have acted in direct Disobedience to an Instruction from his late Majesty of "the Year 1723.

"That I have kept your Bill, the only Bill of that Year, till your last Sessions, with-"out intimating in the least that I apprehended myself bound by an additional Instruction "to Governor *Thomas* in the Year 1740.

"That

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" That I contend for, and have actually aſſumed a Power over the King's Inſtruction, " to remember or forget, to enforce or relax them, as it ſuits my Humour or my " Purpoſe."

' With regard to the Firſt; you are pleaſed to ſay, that it is clear to you, that both ' Governor *Thomas*, and the Houſe too agreed in the eſſential Point, *viz.* That the ' additional Inſtruction was binding upon neither of them. And that the Aſſembly, by ' making Uſe of the Diſtinction of ordinary and extraordinary Caſes, did convince him, ' that the Inſtruction was not to be ſubmitted to on its own Terms; and therefore, by ' giving his Aſſent to an Act for granting *Five Thouſand Pounds* for the King's Uſe, in ' direct Oppoſition to the King's Inſtruction, he ſhewed a greater Regard to the Senti- ' ments of that Aſſembly than you had any Reaſon to believe I have to the repeated Re- ' queſts of your Houſe.

' There is ſomething in this Paragraph that appears to me very remarkable; and al- ' though I would not willingly harbour a Suſpicion, that the Repreſentative Body of a ' whole Province would condeſcend to make Uſe of any Degree of Artifice (ſo unworthy ' even of private Men) to miſlead the Underſtandings of the People, merely with a View ' to aſperſe me, yet to me it has ſo much of that Appearance, that I muſt take Leave to ' examine the Fact upon which thoſe Aſſertions are founded.

' In the Year 1746, the late Governor, by his Majeſty's Order, called upon the As- ' ſembly for a ſufficient Quantity of Proviſions for the Subſiſtence of the Troops to be ' raiſed here for the Reduction of *Canada*.——In Anſwer to which, the Houſe acquaints ' him, that they are willing to give a Sum of Money for the King's Uſe; but, upon En- ' quiry, find, that neither the Treaſury nor Loan-Office are furniſhed with ſuch a ' Quantity beyond the other Exigencies of Government, as they are willing to give; ' and therefore propoſe the Striking a further Sum of Paper Money, to be placed out at In- ' tereſt, in like Manner as are the other Bills of Credit, current by a former Act, by ' which Means the Sum to be given might be repaid by the Intereſt of the Bills ſo ' lent out.

' In Anſwer to this, the Governor, by Meſſage of the Thirteenth of *June*, tells ' them, that he wiſhes it were as much in his Power as it is in his Inclination to agree ' with them in the Method by them propoſed for raiſing it. But that they muſt be ' ſenſible, from the *Royal Inſtruction*, communicated to a former Aſſembly, that he was ' forbid, under Pain of his Majeſty's higheſt Diſpleaſure, from paſſing any Act for ' ſtriking Bills of Credit, without a Clauſe reſtraining its Operation until the King's ' Pleaſure ſhould be known.

' In Reply to this Meſſage, the Aſſembly acquaint him, that they are willing to hope ' that, upon re-conſidering the Royal Inſtruction, he may think himſelf at Liberty to ' give his Aſſent to a Bill for ſtriking a further Sum of Money in Bills of Credit when ' any extraordinary Emergency requires it.

' Hereupon the Governor, by Meſſage of the Fourteenth of *June*, again acquaints ' them, that he really does not want Inclination to oblige them in any Thing they can ' reaſonably deſire; and therefore his Mortification is the greater, to be preſſed upon a ' Point he is not at Liberty to comply with; the King's Inſtruction, founded on the ' Addreſſes of the Houſes of Lords and Commons, being ſo poſitive, that he cannot ' bring himſelf to ſuch a Pitch of Boldneſs as to contravene it; and promiſes him- ' ſelf, upon due Conſideration of his being thus circumſtanced, the Houſe will proceed ' to ſome leſs *exceptionable Method* of raiſing the Sum deſigned to be granted for the ' King's Uſe.

' On Receipt of this Meſſage, the Houſe, finding the Governor was not to be warped ' from his Obedience to the Royal Inſtruction, immediately proceeded to paſs a Bill ' for giving *Five Thouſand Pounds* for the Uſe of the King, to be paid out of the Bills ' of Credit remaining in the Loan-Office for exchanging torn and ragged Bills, and for ' ſtriking and emitting other Bills to the ſame Value, to be ſunk by a Tax in Ten Years, ' which Bill was afterwards enacted into a Law.

' I ſhould now be glad to know, Gentlemen, upon this State of the Fact, which is ' taken from your own Minutes, what are the Proofs that have made it clear to you, ' that the late Governor agreed that the King's Inſtruction was not binding upon him, ' and that he acted in direct Oppoſition to it, ſince the very contrary is evident, as well ' from the whole Tenor of his Meſſages, as from his Perſeverance in refuſing to conſent ' to a Bill upon the uſual Terms, as the Aſſembly requeſted it (that is) without the ' ſuſpending Clauſe; although, as an Inducement thereto, the Houſe intimated to him ' an Intention they had of making an Addition to the *Five Thouſand Pounds* already ' voted, which they well knew was like to prove as prevailing an Argument with him ' as any they could make Uſe of.—It is true, he did, againſt the ſtrict Letter of the In- ' ſtruction, give his Aſſent to a Bill for ſtriking *Five Thouſand Pounds*, to replace what ' had been given for the King's Uſe; but upon due Conſideration, it muſt be obvious to ' every one, that the true and genuine Intention of that Inſtruction could relate only to

' Emiſſions

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'Emissions on common and ordinary Occasions, by Means whereof, the Evils and Inconveniences specified in the Body of the Instruction had arisen; and to prevent which for the future, appears clearly to have been the sole End and Purpose of the Instruction. If again, on the other Hand, it be considered, that the Sum emitted in this Province, by Virtue of the Act of 1746, was very small, and occasioned by a very real Emergency; that the same was appropriated solely to his Majesty's Use, and that the Whole of it was to be sunk in a short Space of Time by Taxes, and without there being the least Probability of its producing any of the Inconveniences complained of: We must necessarily allow, that the late Governor (however he might disregard the strict Letter) never departed from the Spirit and Intention of the Instruction; and therefore cannot properly be charged with having acted in direct Opposition to it: For it would be an Absurdity too glaring to suppose that any Government would voluntarily tie up the Hands of its Subjects from serving it, by such Means as they are able, in Cases of great Emergency; and that this could never have been any Part of his Majesty's Intention, or that of the Parliament, in addressing him, is further evident from the late Act respecting the Four *Eastern* Governments, who, although prohibited on common and ordinary Occasions, yet, in Cases of real Emergency, are permitted to issue Bills of Credit, on Condition that sufficient Funds be provided for sinking the same in a short Space of Time, which was exactly the Case with respect to the Sum emitted by the Governor and Assembly of this Province.

'Having, I hope, incontestably proved, that the true and real Intention of the Royal Instruction, could have been no other than to guard against the Abuses enumerated in the Body of it, and that the Act for granting *Five Thousand Pounds* to the King's Use, passed by the late Governor, in 1746, being of a singular and quite different Nature from Acts passed upon ordinary Occasions, could not therefore be comprehended within the Meaning of the said Instruction; I proceed now to ask the Gentlemen of the Assembly, whether the Distinctions between an Act for emitting a large Sum of Money on a common and ordinary Occasion, the Interest of which the Country is to reap the whole Benefit of, to be current for a long Term of Time without Diminution, and an Act directly the Reverse of this in all Respects, did never occur to them? If these Distinctions did occur to them, and it is next to impossible that they should not, I ask them again, with what Degree of Candour they could affect to consider them as one and the same Case? And thence take Occasion to charge me, with having less Inclination to oblige the People under my Government, than my Predecessor. Did the House ever offer me a Bill of any thing like the Tenor of that of 1746, that I refused my Assent to? I am persuaded they will not say it: How then is it possible they should know, that, upon a like Occasion, I should be less willing than my Predecessor to oblige them.

'*Secondly*, With regard to the additional Instruction of the Twenty-third of *July*, 1723, I have this to alledge for myself, that, previous to my Message of the Seventh of *September*, I had caused the Minutes of Council, and all the Papers in that Office, to be very carefully inspected, without being able to discover the least Footsteps of that or any other Instruction to the like Purpose. And as I had never heard of any such being directed to the Governors of this Province, I may reasonably claim some Excuse, destitute as I was of the Means of Information, for having presumed (for in Reality it is but a Presumption) that no Instruction of that Kind had been at any Time sent here: Yet, when the House, without the least Occasion given by me, departs from that Decency, both of Matter and Language, which they must be sensible ought inviolably to be observed between the different Branches of the Legislature; and, instead of imparting to me the Information they were possessed of, touching the Matter in Controversy, go on to utter Reflections and Insinuations of a most invidious Nature, I am afraid they will stand in Need of greater Allowances for their Conduct than even a good-natured Man may be willing to make.——Pray, Gentlemen, if I had even asserted, which I did not, that no Instruction like that of the Year 1723, had ever been directed to the Governor of this Province, would it have been any great Stretch of your Charity to have supposed me, as I really was, ignorant of it? Or would it have been unbecoming the Honour of your House, to one in my Station, to have enquired into the Truth of the Matter, before you had proceeded to charge me in Print, for I can call it no less,

" With remembering or not remembering a Royal Instruction, as it best suited my " Purpose.

" With having purposely forgot the Instruction of 1723, although possessed of the " Original (which is not true) because it did not suit my Purpose, and remembering that " of the Year 1740, because it did.

" With having little Regard to the Liberties and Privileges of the People under my " Government, though you are not able to give an Instance wherein I have infringed " them.

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" With having totally diſregarded the Lords Juſtices Inſtruction of 1723, which at " that Time I had never ſeen or heard of."

' Or is my Character ſo notorious with you for Falſhood and Diſſimulation, that any ' involuntary Miſtakes, by me committed, would not have admitted of a milder Con- ' ſtruction than you have been pleaſed to put upon them? If I have given you Reaſon to ' entertain this Opinion of me, you will be the better juſtified in having cenſured ſo ' ſeverely: But if, on the contrary, I have ever acted with Integrity and good Faith ' towards all the Aſſemblies that have met during my Adminiſtration, then, I muſt needs ' tell you, that you have been vaſtly deficient in that Charity and Benevolence which, ' as Members of Society, we mutually owe to one another, as well as extremely cruel to ' yourſelves; ſince upon what other Principle, than that of Charity, can you hope to ' be excuſed for having poſitively aſſerted in your Meſſage of the Fifth of *September*, that ' there never had been a ſingle Inſtance of the paſſing any Law, under the Reſtrictions ' contended for by me, from the firſt Settlement of the Province to that Day, when, in ' turning to our own Book of Laws, you might have ſatisfied yourſelves, that, in an Act ' preſcribing the Forms of Declaration, *&c.* the ſuſpending Clauſe is inſerted in the ' fulleſt Manner? And yet I ſincerely declare, that I never thought otherwiſe of this, ' than as of a Miſtake you had fallen into through Precipitation, and a Zeal for the ' Cauſe you had in Hand, without ever thinking I might be juſtified in inſinuating ' that you either willingly told an Untruth, or that you thought yourſelves at Liberty to ' remember or forget the aforeſaid Act of Aſſembly, as it beſt ſuited the Purpoſe, ' in your Controverſy with me.

' I confeſs myſelf at a Loſs to underſtand what is meant by the Houſe in ſaying, that ' I have acted in direct Diſobedience to the Lords Juſtices Inſtructions of the Year 1723, ' as on the moſt careful Recollection, I cannot call to Mind the having paſſed any Act ' that can poſſibly fall within the Meaning of that Inſtruction (which relates alone to ' private Acts concerning Lands and Meſſuages) ſince my Acceſſion to this Government. ' Yet, even ſuppoſing that to have beenthe Caſe, I may with ſome Appearance of Reaſon ' expect to be pardoned; ſince it is hoped, that none can be ſo unjuſt as to con- ' ſtrue that a wilful Diſobedience, which aroſe entirely from my Ignorance of there be- ' ing any ſuch Inſtruction, after taking the utmoſt Pains to be informed.

' I acknowledge, Gentlemen, you have now ſhewn me that ſuch an Inſtruction does ' ſubſiſt; and am extremely glad to hear you at laſt declare it to be your Opinion (how- ' ever contradictory to many Parts of your Meſſage and Report) that *all Royal Orders and* ' *Inſtructions* ſubject the Governors to whom they are directed, and their Succeſſors too, ' to the Royal Diſpleaſure, unleſs ſuch Inſtructions, are revoked by his Majeſty's Autho- ' rity. If then, as you juſtly ſay, all Royal Orders and Inſtructions, unrevoked, are bind- ' ing upon the Governors to whom they are directed, and their Succeſſors too, why is ſo ' much Reſentment ſhown on your Part, on Account of my having paid Obedience to ' thoſe Inſtructions, which, by your own Acknowledgement, I am bound to pay, under ' Pain of his Majeſty's Diſpleaſure? Upon this Declaration of yours, I will once more ' appeal to your own Breaſts, with regard to the Reaſonableneſs of your requeſting me ' to diſregard thoſe Inſtructions, at the certain Diſadvantage of incurring his Majeſty's ' Diſpleaſure, and perhaps to the Injury of my private Fortune, and Loſs of my ' Character. And if (as you ſeem to ſuppoſe) the King, by having paſſed the Paper ' Money Act laid before him in 1751, has judged all the Purpoſes of that Inſtruction to ' be anſwered, can there be a more favourable Seaſon than the preſent to apply to his ' Majeſty for a Revocation of it? Or by whom can the Application be ſo properly made ' as by the People's Repreſentatives, who look upon their Conſtituents to be moſt ag- ' grieved by it, ſince, by your own Acknowledgement, no Governor can diſpenſe with ' paying Obedience to it, until revoked, but at the Riſk of incurring his Majeſty's Diſ- ' pleaſure? which it is very improbable any Governor will be hardy enough to do.

' *Thirdly*, You are pleaſed to ſay, that I have kept your Bill, the only Bill of that ' Year, till your laſt Seſſions, without intimating in the leaſt, that I apprehended myſelf ' bound by an additional Inſtruction to Governor *Thomas*, in the Year 1740.

' Had I been inveſted, Gentlemen, with a Power to direct the Aſſembly how many ' Bills they ſhould prepare and offer to me in any one Year, and had made Uſe of that Power ' to limit or reſtrain them to the particular Bill in Queſtion, in Excluſion of all others, ' there might have been ſome Reaſon for their having laid ſuch Streſs upon the Words, ' *only Bill*. But as it is well known, that no Governor is, or ought to be, poſſeſſed of ' ſuch a Power, and that the Aſſembly is at full Liberty to prepare and offer ſo many ' Bills, and of ſuch Sort, as appear to them expedient, without the leaſt Check or Con- ' trol from any Body, to whoſe Account ought the Fault to be charged (if in Truth it ' be a Fault) that it was the only Bill of that Year? To mine, who neither had nor ' claimed any Authority to interfere at all in their Proceedings? Or to theirs, who, al- ' though inveſted with the Power, yet upon that Occaſion declined to make Uſe of it?

' That

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'That I kept your Bill from the Month of *May* to the Month of *Auguſt* following, in 'order the better to conſider it, is very true; nor will you deny that I had an unqueſtion-'able Right ſo to do; but how could that poſſibly interfere with your preparing 'Bills to be paſſed into Laws in the Months of *January* and *February* preceeding, which 'is known to be the uſual Time of the Aſſembly's Sitting to do Buſineſs here? Or to 'what Purpoſe ſhould I have intimated to you any thing reſpecting that Inſtruction 'till the Bill came before you again upon my Amendments? At which Time, I had ſo 'little Apprehenſion of your objecting to the Validity of that Inſtruction, that I looked 'on the Bill as good as paſſed; and that not only the Members of Aſſembly, but every 'Inhabitant the leaſt converſant in public Affairs, were acquainted with that ſtanding 'Inſtruction.

'*Fourthly*, That I contend for, and have actually aſſumed a Power over the King's In-'ſtructions, to remember or forget, to enforce or relax them as it ſuits my Humour or 'my Purpoſe.

'I am ſorry, Gentlemen, you ſhould have ſpent ſo much Time and Labour in endea-'vouring to find out the Meaning of what appears to me a very plain and artleſs Sen-'tence, in my Meſſage of the Seventh of *September*, and which muſt have appeared 'equally plain to you, had it been read with the ſame candid Diſpoſition with which 'it was wrote.——Let us examine the Words themſelves, and the Occaſion of their 'being uſed, as from thence we ſhall ſee whether they will bear the Interpretation you 'have been pleaſed to put upon them. The Aſſembly, in their Meſſage of the Fifth 'of *September*, made Uſe of ſeveral Arguments to prove that the King's Inſtruction either 'never was, or that the Ends of it having been anſwered, it could no longer be 'binding on the Governors of this Province; and therefore hoped I would think myſelf 'not at all concerned therein, and paſs their Bill as it then ſtood; that is, in direct Op-'poſition to the King's Inſtruction. But as I had not the good Fortune to be convinced 'by their Arguments, and as it would have been highly impertinent in me, to have en-'tered into a Vindication of what had been adviſed by the two Houſes of Parliament, 'and aſſented to by his Majeſty, I concluded, with telling them in my Anſwer, that 'they would certainly allow me to judge for myſelf of the Neceſſity I was under of pay-'ing Obedience to the King's Inſtruction, when a Diſregard of it was threatened with 'his Majeſty's higheſt Diſpleaſure; the Meaning of which Sentence can be no other 'than this, that as I was threatened with the King's higheſt Diſpleaſure, in caſe I diſ-'obeyed his Inſtruction; therefore they muſt allow me to judge for myſelf, between the 'Force of the Arguments by them adduced to invalidate the ſaid Inſtruction, and my 'own Opinion of its continuing to bind me.

'It is impoſſible any other Conſtruction can be fairly put upon theſe Words: And yet 'the Aſſembly, by having in the firſt Place taken ſomething for granted, which in it-'ſelf is abſolutely without Foundation; and in the next, by perverting the clear Mean-'ing and common Senſe of my Words, have plainly inſinuated, as if I contended for, 'and actually aſſumed a Power over the King's Inſtructions, to remember or forget, to 'enforce or relax them, juſt as it ſuited my Humour or my Purpoſes.——This, Gentle-'men, among many others, is ſuch an Inſtance of Unfairneſs as aſtoniſhes me; and 'could, in my Opinion, have proceeded from nothing leſs than a determined Reſolution 'to differ with me; and which (could I prevail on myſelf to break through the Rules 'I have preſcribed for my Conduct with regard to Gentlemen in your Station) would 'require, as it juſtly merits, the ſharpeſt Return.

'Added to theſe, you have, I obſerve, upon ſeveral Occaſions, given it as your 'Opinion, that I am reſtricted by Proprietary Inſtructions, as well as thoſe from the 'Crown. How conſiſtent it may be with the Rules of Parliamentary Proceedings, to 'take Notice of any thing reſpecting me, which does not come properly before you 'from myſelf, I leave you to judge: But I am perſuaded, that had I adminiſtered the 'like Occaſion of Complaint to you, you would not have been backward in charging 'me with a Breach of your Privileges. Did any of the Amendments propoſed to the 'Paper Money Bill, look as if they had been dictated by Proprietary Inſtructions? Or 'was any thing offered on my Part, but what was common in your former Acts; ex-'cept what I was obliged to add, in Conſequence of the King's Inſtruction? With 'which had you then acquieſced, 'tis more than probable your Bill would by this Time 'have received the Royal Sanction, and you have been put in Poſſeſſion of what you 'appear ſo ſolicitous about.

'I muſt not, however, omit to return you my Thanks in Behalf of the Proprietaries, 'for the Regard you are pleaſed to expreſs for their Rights, in your Reſolve relating to 'the Royal Inſtruction; an equal Concern for all their other Rights, as they come occa-'ſionally before you, cannot fail of receiving their juſt Acknowledgements, and of en-'titling the People you repreſent, to all the Favours and Benefits they are capable of 'beſtowing.

'Having

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'Having gone through what appeared worthy of Obſervation in the Report, I now 'proceed to enquire what Part of my Conduct can have given Occaſion to ſuch Re-'ſentment as to induce you to lay aſide thoſe Rules of Civility ſo conſtantly practiſed by 'Legiſlative Bodies, and to treat me in a Manner, which nothing leſs than an actual 'Invaſion of your Liberties and Privileges, or ſome other notable Provocation can ever 'juſtify; and which, were I to imitate, by giving the ſame free Scope to my Paſſions, 'I leave you to judge, how the public Buſineſs could be carried on.

'Was there any thing either in the Manner or Matter of my Meſſage, that neceſ-'ſarily called upon you for ſuch a Return? I am perſuaded you will acquit me of that.

'But you ſay you have no other Method to ſecure yourſelves from future Inſinuations, '*&c.* but by leaving your Sentiments, *&c.* on your Minutes in the cleareſt Manner 'you are able. I agree with you, Gentlemen, that if you apprehended the Intereſt of 'your Conſtituents might be injured by your Silence, the Deſign was highly laudable. 'But was it ever known, that an Argument loſt any thing of its Force by being handled 'in a modeſt and decent Manner? Or could you not have left your Sentiments, *&c.* 'on your Minutes, without uttering the moſt injurious Inſinuations againſt me?—— 'You muſt be ſenſible, other Governors and Aſſemblies have differed in Opinion, upon 'Points nearly of the ſame Nature with this; but have thoſe Aſſemblies therefore be-'haved to their Governors, as if it was a Crime in them to have been charged with In-'ſtructions from the King? Or proceeded to inſiunate, becauſe they thought themſelves 'obliged to yield Obedience to thoſe Inſtructions, that therefore they had no Regard 'to the Liberties and Privileges of the People? Or that it was evident, the good People, 'or their Repreſentatives, were not to expect to have any Influence over their Gover-'nors on that, or any other Occaſion? I am perſuaded, Gentlemen, you will not be 'able to find a ſimilar Inſtance on ſo ſlight an Occaſion, in the Records of any Aſſem-'bly in his Majeſty's Dominions, and conſequently that the Report of your Committee 'is a Paper of the firſt Impreſſion.

'Had I been an Enemy to the Liberties and Privileges of the People, or been deſi-'rous of gratifying my own Paſſions at their Expence, it muſt be confeſſed you have fur-'niſhed me with the faireſt Occaſion a Governor ſo diſpoſed could poſſibly have wiſhed 'for. For Example; you have voted a Clauſe, propoſed to be added to your Bill by 'his Majeſty's expreſs Direction, at the Requeſt of his two Houſes of Parliament, to 'be deſtructive to the Liberties of the People of this Province, *&c.* and have even 'threatened to examine the Validity of the King's Inſtruction, if by a Perſeverance in 'my Opinion, I laid you under the Neceſſity of doing it. What is this leſs than de-'claring that the Lords and Commons, and his Majeſty's Privy Council, conſiſting, 'among others, of the moſt eminent Lawyers in *Great-Britain*, have requeſted, and 'his Majeſty enjoined, an Act directly contrary to Law?

'If then, in Conſequence of the Indignation you cannot but ſuppoſe me to have con-'ceived at finding myſelf ſo unworthily uſed, for no Cauſe given on my Part, I had 'tranſmitted to his Majeſty's Miniſters, a Repreſentation or Complaint of the foremen-'tioned Proceedings, aggravated with all the invidious Conſtructions of which they are 'capable, and which an abuſed or provoked Man might think himſelf well juſtified in 'making Uſe of, can you think the Conduct you held upon that Occaſion would con-'tribute any thing to the better recommending you to his Majeſty's Favour? Or might 'it not rather tend to encreaſe the Jealouſies and Suſpicions already too eaſily enter-'tained of theſe Colonies by our Superiors; and perhaps terminate finally in an Act to 'compel Obedience, not to one, but all Inſtructions from his Majeſty? Which I hope 'will never be the Caſe, though you muſt be ſenſible it has more than once been me-'ditated by Gentlemen of great Weight and Authority in the *Britiſh* Parliament.

'But if, on the contrary, all this has been avoided, and I have endeavoured to ſup-'preſs, as much as in me lay, any Reſentment by which the Public may be affected, 'in Hopes of a more diſpaſſionate Behaviour on your Part for the future, I flatter myſelf 'with having done the People of this Province as effectual a good Service by my Mo-'deration, as you, by all the Zeal and Warmth you have expreſſed upon the Oc-'caſion.

March 1, 1754. *JAMES HAMILTON.*"

Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to inſpect the Accounts of the Provincial Hoſpital, *&c.* made a Report in Writing, which was read, and is as follows, *viz.*

Report of the Committee on the Accounts of the Province Hoſpital.

WE, the Committee appointed to view and conſider the Accounts of the Provincial Hoſpital, laid before the Houſe by the Managers of the ſaid Hoſpital, do report, that we have accordingly conſidered them, and find that the General Accounts of

of the said Hospital, from the Beginning to the Fifth of *Fifth Month*, 1753, stand thus: 1754. *March* 1.

Dr. *The Stock given by Law for founding, building and furnishing the Provincial Hospital.* Cr.

To real Securities in the Treasurer's Hands, for sundry Sums lent out on Interest —	£	1850	0	0	By two Orders drawn by the Speaker of the Assembly, and paid -	£ 2000	0 0
To House-rent and Furniture to this Date,		185	10	5	By sundry Sums received for Interest Money lent, -	67	0 0
	£	2035	10	5		£ 2067	0 0
Balance due to the Stock,		31	9	7			
	£	2067	0	0			

Dr. *The Capital Stock of the Provincial Hospital.* Cr.

To 60 Bonds given by sundry Subscribers, amounting to —	£	1454	16	8	By One Hundred and Thirty-five Subscriptions, amounting in the Whole to *Two Thousand Seven Hundred and Fifty-one Pounds, Sixteen Shillings and Eight-pence,*	£	2751	16 8
To sundry Subscriptions, for which Bonds are not yet given,		335	0	0				
To real Securities in the Treasurer's Hands, for sundry Sums lent out on Interest,		800	0	0				
To an Annuity of *Thirty-five Shillings Sterl. per Annum,* issuing out of a Lot of Land on *Cedar-street,* given by *Joseph Wharton,* in Lieu of his Subscription —		50	0	0				
To a Lot of Land in the *Northern Liberties,* given by *Matthias Hoplin,* as a Subscription — —		24	0	0				
	£	2663	16	8				
Balance due to the Capital Stock,		88	0	0				
	£	2751	16	8				

Dr. *The Maintenance of the* Pennsylvania *Hospital.* Cr.

To Expences of House-keeping, Fire-wood and Wages, from the Beginning to this Date, -	£	300	13	9¼	By Interest-money received to this Date, -	£	121	11 6
					By sundry Sums received, for boarding Patients on Pay, — — —		80	11 4
					By a Donation from *B. F's* Charity-Box, — —		1	10 0
						£	203	12 10
					Balance expended more than received, — —		97	0 11¼
						£	300	13 9¼

We also report, that by the List of Patients we find, that from the Eleventh of *Second Month*, 1752, to the Fourth of *Fifth Month*, 1753, there were Sixty-four Patients received into the Hospital, afflicted with Lunacy, and various other Disorders which required the Conveniences of such a Place; of which Number Thirty-two were cured and discharged, and some others received considerable Relief. We likewise report, that we have visited the Hospital, and find a considerable Number of distempered Patients there, who are well taken Care of, and the Whole appears to us to be under very regular

1754. *March* 1. and good Management, and likely to anſwer the original Deſign. All which we ſubmit to the Houſe.

JOSEPH TROTTER, JAMES WRIGHT,
WILLIAM CALLENDER, JOHN ARMSTRONG,
MAHLON KIRKBRIDE, MOSES STARR."
GEORGE ASHBRIDGE,

The Houſe taking into Conſideration the Governor's Meſſage of this Morning;

Ordered, That *Evan Morgan*, *Joſhua Morris*, *Joſeph Fox*, *Benjamin Franklin*, *William Callender*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *John Armſtrong* and *Moſes Starr* be a Committee to conſider the ſaid Meſſage, and report at the next Sitting of Aſſembly, whether they think it concerns or needs any Anſwer from this Houſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 2. The Committee appointed to examine *George Croghan's* Account, exhibited to the Houſe on the Twenty-firſt of laſt Month, reported, that they were of Opinion, he ought to be allowed the Sum of *Seventy-three Pounds Two Shillings*, being the Balance of his ſaid Account; to which the Houſe aſſenting, an Order was drawn on the Treaſurer for Payment of the ſame, and ſigned by the Speaker, by Order of the Houſe.

Reſolved, That the Sum of *Seventy-nine Pounds One Shilling and Four-pence* be now allowed to *Andrew Montour*, in full for his Expences and Trouble in the Service of this Government to the preſent Day.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Governor, by his Secretary, ſent down to the Houſe a written Meſſage, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'IN all Tranſactions with the Aſſemblies of this Province ſince my Acceſſion to the Government, I have conſtantly endeavoured to confine myſelf within the undoubted and well known Limits of the Powers entruſted to me by my Commiſſion, without ever deſignedly attempting the leaſt Infraction or Invaſion of the Privileges of your Houſe.——That the Right of refuſing my Aſſent to any Bill offered me by the Aſſembly, without aſſigning Reaſons, is incident to the Station I have at preſent the Honour to fill, I am perſuaded you will not deny, inaſmuch as the ſame has not only been frequently exerciſed by my Predeceſſors, without any Complaint from the Aſſemblies on that Account, but has alſo been expreſly acknowledged by them to be ſo in the fulleſt and plaineſt Words.

'I hope never to be juſtly chargeable with uſing the Powers I am inveſted with in a wanton or extravagant Manner; and therefore, as I do not conceive myſelf to be accountable to you for my Conduct on the preſent Occaſion, I cannot but look on your having taken Notice of it in the Way you have done to be a good deal more *unuſual and unprecedented* than the Practice complained of.

'If I rightly know myſelf, I may venture to ſay, that no Man in my Station has ever been more deſirous or taken more Pains than myſelf to eſtabliſh and preſerve Peace and Harmony between the ſeveral Branches of the Legiſlature, as well as throughout the whole Province; and I am ſtill ready to contribute every Thing in my Power to ſo good a Purpoſe, conſiſtent with my Honour, and the Truſt repoſed in me. But if, in order to reſtore and preſerve this Harmony, it be expected that I ſhould make a Sacrifice of any of the Rights of Government, or part with my negative Voice, with reſpect to all Bills that may be laid before me, I ſhall look upon the Purchaſe, however deſirable in itſelf, as made at too dear a Rate; being firmly of Opinion, that ſuch a Change in the Conſtitution would be productive of more real Miſchiefs and Inconveniences to the Province, than are to be apprehended from any temporary Diſagreement between a Governor and Aſſembly.———I would not here be underſtood to mention this as a Thing you have actually and in expreſs Terms demanded of me; yet upon the moſt careful Review of all that has paſſed, I am not able to diſcover any other Cauſe for the Interruption of that Harmony which, for ſeveral Years, ſubſiſted between us, and for the late indecent Treatment I have received, in a Paper publiſhed by your Houſe, than my having refuſed to paſs ſome Favourite Bills upon your own Terms.——If this then ſhould have been the Caſe, what is it leſs in Effect, than endeavouring to intimidate me from exerciſing my Judgment upon ſuch Bills as come before me in my Legiſlative Capacity, under Pain of incurring your ſharpeſt Reſentment; and conſequently to deprive me of the Negative inveſted in me by the Conſtitution.

'But waving every Thing of an inferior Nature, I proceed to that Part of your Meſſage, of the Twenty-ſeventh of laſt Month, wherein you are pleaſed to ſay, you obſerve ſome Differences between the Royal Commands ſignified in Lord *Holderneſſe's*

'Letter

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'Letter, and the Light in which I repreſent them in my Meſſage of the Fourteenth 'Inſtant. If there was any Defect in the Form of my calling upon you for ſuch Sup-'plies as might enable me to do what his Majeſty has enjoined to be done, in Caſe of 'any hoſtile Attempts upon any Part of his Majeſty's Dominions, namely, to repel Force 'by Force, I would willingly have hoped, that your Duty to his Majeſty would rather 'have induced you to ſupply any Omiſſion of mine in that Reſpect, eſpecially as every 'Means of Information I was poſſeſſed of was laid before you, than that you would 'have attempted to elude the Force of a Demand made upon you by his Majeſty's ex-'preſs Orders, by ſuch an Evaſion, as that of my not having done it in the very Words 'of Lord *Holderneſſe's* Letter. The Words of my Meſſage are ſo full, and though 'not a bare Repetition of his Lordſhip's, yet ſo very agreeable to them in their Senſe 'and Meaning, that it is impoſſible you ſhould have underſtood them in any other Light 'than as referring to Lord *Holderneſſe's* Letter, eſpecially as that Letter then lay 'upon your Table: However, as I find you have in ſome Meaſure made that a Pre-'tence for not complying with my Demand made upon you by his Majeſty's Order, I 'deſire you will pleaſe now to be informed, that I have undoubted Aſſurance that Part 'of his Majeſty's Dominions, within my Government, is at this Time invaded by the 'Subjects of a Foreign Prince, who have erected Forts within the ſame: And further, 'that you will take Notice, that I do now call upon you, purſuant to his Majeſty's Or-'ders, in the preſent Emergency, to grant ſuch Supplies as may enable me to draw 'forth the armed Force of the Province, in order to reſiſt theſe hoſtile Attempts, and to 'repel Force by Force.

'But you are pleaſed further to ſay, that you ought not to fix the Bounds of this 'Province; and that if you had been ſo inclined, I had not furniſhed you with any Ma-'terials for the Enquiry. Pray, Gentlemen, did you ever aſk me to furniſh you with 'Materials for this particular Enquiry? If you did not, which I aver to be the Caſe, 'whence the Inſinuation as if I had omitted to furniſh you with all the Means of In-'formation that were in my Power? Was it poſſible for any Body to think you could 'have been ſo unconcerned about a Matter of ſuch vaſt Conſequence, as an Invaſion of 'his Majeſty's Dominions (which was ſo ſtrongly repreſented to you in my Meſſage as 'being very near to us) without making an Enquiry touching the Place and Situation 'where theſe Hoſtilities were ſaid to be committed; or whether the ſame was or was 'not within the Limits of our own Province, eſpecially as you might ſo eaſily have ſatisfied 'yourſelves in that Point by the Papers laid before you, and the Perſons you had under 'Examination? By theſe it would have appeared to you, that *Logs-Town* the Place 'where the *French* propoſe to have their Head Quarters, is not at the Diſtance of five 'Degrees of Longitude from the River *Delaware*, and not to the Southward of fifteen 'Statute Miles *South* of this City; and that the Courſe of the *Ohio*, from that Place to '*Weningo*, which the *French* have taken Poſſeſſion of, and from whence they have 'driven away our Traders, is to the *North-Eaſt*, and conſequently nearer to us. It is 'likewiſe well known, that a Perſon apprehended for committing a Murder at *Shanop-'pin*, which lies ſtill *South* of *Logs-Town*, was tried in the Supreme Court at *Philadel-'phia*, and the Evidence of the Place being within the Limits of this Province was ſo 'clear to the Court and Jury, that he was convicted of Manſlaughter, and ſuffered his Pu-'niſhment accordingly. Upon this Occaſion I muſt needs tell you, Gentlemen, that if 'you really did make this Enquiry, and received Satisfaction therein, your Sup-'preſſion of the Truth is extremely diſingenious with regard to me; and that if you did 'not make it, I can impute the Neglect to no other Cauſe, than a Deſire to have a 'plauſible Excuſe for not paying a proper Regard to his Majeſty's Commands.

'I did not expect to have had it objected to me, as a Failure in Duty, that I did not 'make the Requiſition mentioned in Lord *Holderneſſe's* Letter, by Gentlemen of your 'Perſuaſion: You muſt be all ſenſible that I have ever been extremely tender with Re-'gard to that Point; and have upon all Occaſions avoided preſſing you importunately 'upon Matters about which I knew you to have any Scruples; and therefore thought 'it a very lucky Circumſtance that Governor *Dinwiddie* undertook the Taſk of making 'the Requiſition, which otherwiſe I ſhould have been obliged to do, in Obedience to 'his Majeſty's Commands, being ſenſible that the Hoſtilities complained of were 'committed within our own Province. Had I made the Requiſition, would it not, in 'Effect, have been ſetting this Province in the Front of the Oppoſition? And had you 'afterwards refuſed to grant Supplies for repelling theſe Invaders, would it not have 'expoſed us to the Contempt and Deriſion, as well of the *French*, as our *Indian* Allies? 'But the Requiſition is now made by one of his Majeſty's Governors, and you have ſeen 'the Anſwer of the *French* Commander, avowing theſe Hoſtilities.

'You have likewiſe ſeen in the late Treaty of *Carliſle* the Anſwers of the *French* Com-'manders to the Requiſitions made by the *Indians* of the *Five Nations*, whom the King 'of *France*, in the Treaty of *Utrecht*, an Extract whereof was laid before you,

'acknowledges

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'acknowledges to be ſubject to the Dominion of *Great-Britain*; wherein theſe *French* 'Officers declare they have the Orders of the King their Maſter to oppoſe them, and 'every one elſe, who ſhould obſtruct their making themſelves Maſters of that Country. 'And now theſe *Indians*, reduced as they are to the laſt Neceſſity, moſt earneſtly beſeech 'us, in Conſequence of the Treaties made by them with this and others of his Ma- 'jeſty's Colonies, to build Places of Refuge, to which their Wives and Families may 'repair for Safety and Protection; and to ſend them our Warriors to aſſiſt them againſt 'theſe their Enemies, alledging they are too weak to make any conſiderable Reſiſtance 'of themſelves, and muſt ſubmit to their ſuperior Force, and loſe their Lands and Com- 'merce with us, if we do not ſend them an armed Force.

'What then remains, but that you immediately proceed to grant the neceſſary Sup- 'plies for reſiſting theſe hoſtile Attempts, and thereby ſet a good Example to the neigh- 'bouring Colonies, whoſe Conduct upon this Occaſion ought not to be a Rule for us, 'who are the Province invaded, and conſequently in the moſt immediate Danger; which 'if you refuſe to do, how can you be ſaid to fulfil our Treaties, and "give the *Indians* "the ready Aſſiſtance they depend on under their Wants and Neceſſities?" Or how do 'you "demonſtrate your Duty and Loyalty to his Majeſty, by giving ſuch Sums of "Money for the King's Uſe upon all ſuitable Occaſions as can be reaſonably ex- "pected?"

'I for my Part have done my Duty, and any ill Conſequences that may happen, will 'not lie at my Door; and therefore, Gentlemen, I earneſtly exhort you to do yours, 'and in every Reſpect to act up to the high Truſt repoſed in you, as the Repreſentatives 'of the People, that when an Account of our Tranſactions, in Conſequence of his Ma- 'jeſty's Orders, ſhall be laid before our Sovereign, which muſt neceſſarily be done, both 'Parts of the Legiſlature may receive his Royal Approbation.

'That Part of your Meſſage I cannot ſuffer to paſs unobſerved, wherein you are 'pleaſed to ſay, that the Proprietaries refuſe to contribute any Part of your *Indian* Ex- 'pences, which have increaſed upon you exceedingly within a few Years. It is true, 'they have refuſed to do ſo in the Manner you expected, and have given you their Rea- 'ſons for the Refuſal: But you cannot have forgot the Propoſal I made to you in 1750 'and 1751, by their Order, with reſpect to the Building a ſtrong Trading-houſe near 'the Place now invaded and poſſeſſed by the *French*; which generous Offer had you 'then thought fit to have cloſed with, all the Miſchiefs we now apprehend might have 'been prevented at a ſmall Expence to the Province, and that Country ſecured to the '*Engliſh*, which hereafter to recover will probably be attended with the Loſs of many 'Lives, as well as a heavy Charge to the Country.

'I join with you in Opinion, that it is for the Intereſt and Advantage of the Province, 'and our indiſpenſable Duty, to ſend Commiſſioners to *Albany*, in Concert with thoſe 'of the other Governments on this Occaſion; and I will take Care to appoint ſuitable 'Perſons for this Purpoſe, and chearfully concur with you in any proper Bill for the 'Regulation of the *Indian* Trade.

'I will enquire into the Conduct of the Magiſtrates of *Cumberland* County, which, 'if found to be as you have ſet it forth, renders them highly unworthy of the Commiſſion 'they bear.

March 2, 1754. *JAMES HAMILTON.*"

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Meſſage from the Governor of this Morning was again read, and conſidered, and the further Conſideration thereof was referred to next *Second-day* in the Afternoon.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

March 4. The Houſe met according to their Adjournment.

Poſt Meridiem. The Governor's Meſſage of the Second Inſtant was again read, and conſidered, and after a conſiderable Debate thereupon, the ſame was referred to further Conſideration To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 5. An Account from *John Pattin*, for his Expences, Trouble and Services, in going to *Allegheny*, in the Service of the Government, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Meſſage from the Governor of the Second Inſtant, was again read, together with the Letter from the Earl of *Holderneſſe*; and, after a conſiderable Debate thereupon;

Ordered, That *Joſeph Gibbons* and *James Wright* wait upon the Governor, and acquaint him, that the Houſe deſire to know if he hath any Thing further to lay before them in Relation to the *Weſtern* Bounds of this Province; and alſo if he hath received any late Advices from the Governor of *Virginia*.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, that he would ſend down to the Houſe To-morrow Morning the ſeveral

Evidences

Evidences relating to the *Western* Bounds of *Pennsylvania*, which convinced him that the Hostilities, mentioned in his Message, were committed within this Province, and he made no Doubt but they would be as convincing to the House; and that the Governor was pleased further to say, he had not received any Advices from *Virginia* since those he communicated to the House. 1754. March 5.

The Petition against Gaming and Gaming-houses was again read, and considered, and, after some Time spent thereon;

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *Peter Dicks* and *James Wright* be a Committee to prepare and bring in a Bill for the Purposes mentioned in said Petition.

The Petition from *Bucks* and *Lancaster* Counties, relating to the Holding of Supreme Courts, &c. being again read, and considered;

Ordered, That *Joseph Fox*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge*, *James Wright*, *Joseph Armstrong* and *Moses Starr* be a Committee to prepare and bring in a Bill for remedying the Inconveniences complained of in the said Petition, and for making such farther Regulation of the said Court, as they shall judge necessary.

The Petition from the Trustees, Commissioners, and others, of the County of *Cumberland*, praying a Sum of Money to be lent them, for the Building of a Court-house, was again read, and considered, and *Ordered to lie on the Table.*

The Petition from *Lancaster* County, relating to the laying out of Townships, &c. being again read, and considered;

Ordered, That *Joseph Trotter*, *Benjamin Franklin*, *William Callender*, *Griffith Owen*, *Joseph Gibbons*, *Calvin Cooper*, *Joseph Armstrong* and *Moses Starr* be a Committee to consider the said Petition, and report to the House, at their next Sitting, what they may think necessary to be done therein.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition from the County of *Lancaster*, praying a Sum of Money to be given towards building a Bridge over *Conestogoe* Creek, was again read, and considered, and referred to further Consideration. *March* 6.

A Petition from sundry Inhabitants of *Philadelphia* and *Chester* Counties, was presented to the House and read, setting forth, that the Petitioners, with sundry others, do hold in common divers Pieces or Parcels of Marsh or Meadow Ground, situated on the River *Delaware*, and the navigable Parts of several Creeks in the said Counties; that some of the Possessors and Occupiers of the said Meadow Ground held in common with the Petitioners, do refuse to uphold and maintain the Frontier Banks, joining on the said River and Creeks, or to bear their proportionable Part of the Expence thereof, whereby the Water often overflows and drowns the said Petitioners Meadow Ground, and totally destroys their Interest therein, which would otherwise be very valuable; they therefore pray this House to take their Case into Consideration, and provide such Remedy for the Grievance complained of, as shall be judged most meet. *Ordered to lie on the Table.*

A Message from the Governor, by the Secretary:

SIR,

'The Governor thought to have had the Matters relating to the Information, which 'the House requested by their Message of Yesternight, ready to send down this Morning, 'but now finds he cannot do it till the Afternoon."

Then the Secretary withdrew.

The Petition from the Owners of Meadow, on the Road to the *Point-Ferry*, opposite *Gloucester*, was again read, and Leave was granted to the Petitioners to bring in a Bill agreeable to the Prayer of their Petition.

The Petition from *Philadelphia* and *Chester* Counties, relating to the keeping up of Banks on the Sides of the Rivers and Creeks in said Counties, was read a second time, and considered, and the Petitioners have Leave to bring in a Bill for the Purposes mentioned in their Petition.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

A Message from the Governor, by the Secretary:

SIR,

'The Governor now sends down to the House the Grounds on which he founded the 'Assertion in his Message, that Hostilities are committed by the *French* within the Li-'mits of his Government, and he has directed me to attend with the Vouchers, Draughts 'and some Evidences to the same, in Case the House should incline to examine them;" and the Secretary then withdrawing, while the Papers he brought down were read, he was again called in, and desired to lay before the House the several Vouchers and Draughts he had mentioned; which he did accordingly, and then withdrew.

And *William West*, *Andrew Montour* and *John Pattin*, giving their Attendance, were called in, and after confirming the several Things relating to the *Western* Bounds of this Province, which they had set forth in the Papers laid before the House by the Secretary, they were directed to withdraw.

1754. *March* 6. *Ordered*, That *Joſeph Fox*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *Peter Worral*, *Joſeph Armſtrong* and *Moſes Starr* be a Committee to take the ſeveral Papers ſent down by the Governor, concerning the *Weſtern* Bounds of this Province, into their Conſideration, and report thereon to the Houſe To-morrow Morning.

Adjournment *March* 7. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to conſider the Papers relating to the *Weſtern* Bounds of this Province, made a Report in Writing, which was read, and is as follows, *viz.*

Report of the Committee on the Limits of the Province

HAVING carefully conſidered the ſeveral Teſtimonies, Computations, Maps and Draughts, laid before us, relating to the *Weſtern* Bounds of this Province, we do report,

That it appears to your Committee, by the Teſtimony of *Richard Peters*, Secretary of this Province, and *Nicholas Scull*, Surveyor-General, that the Temporary Line was run in 1739, by *B. Eaſtburn*, then Surveyor-General, and other Surveyors, on Oath, to the *Kittochtinny* Hills, about three Miles *Weſt* from *Philip David's* Plantation, extending *Weſt* from *Philadelphia* (as meaſured on the Surface) 144 Miles.

And that the ſaid *Richard Peters*, Eſq; doth aver, that he hath travelled from *Aucquick* to *Philip David's*, and made diligent Obſervation and Enquiry, and that to the beſt of his Knowledge and Belief, the Place called *The Three Springs*, is rather Eaſtward of the Meridian of the End of the Temporary Line, and Thirty Miles *Northward* of the End of ſaid Line.

And that the ſeveral computed travelling Diſtances from the *Three Springs* to *Ohio*, laid before the Committee, are as follows, *viz.*

	Miles.
Hugh Crawford and *Andrew Montour*, on their Examination before the Governor, *April* 10, 1752, make the ſaid Road, through *Franks-town* to the *Ohio*,	150
William Weſt, who travelled thither in 1752, makes the Road from the *Three Springs*, through *Rays-town*, to *Shanopins-town*, on *Ohio*, — —	145
John Harris, who travelled thither in 1753, makes the *Rays-town* Road, to *Shanopins*, from ſaid Springs, — — — —	148
And the *Franks-town* Road from Ditto, — — —	151
John Pattin, juſt returned, makes the *Rays-town* Road from Ditto, —	140
Which Computations, nearly agreeing, do, at a Medium, make about —	147
To which, the Length of the Temporary Line, — — —	144
— — — — — being added, make	291
That by the Certificate of *Theophilus Grew*, and *Nicholas Scull*, Mathematicians, a Degree of Longitude, in Lat. 40, is Fifty-three Statute Miles, accounting Sixty-nine Miles and a Half to a Degree of the Equinoctial: and if ſo, the Extent of this Province, *Eaſt* and *Weſt*, in that Latitude, ſhould be but — —	265
Which is ſhort of the above Sum, Miles	26

That all the ſeveral Accounts, which ſpeak of the Courſe of the Road, do agree, that it is very winding and crooked in many Places, to avoid Creeks and Swamps, and very uneven as it paſſes through a mountainous Country; and *Pattin's* Map of the Road, laid before us, makes it in a ſtraight Line from the *Three Springs* to *Shanopins*, but Eighty-three Miles; which Map, however, we do not underſtand to have been made from actual Menſurations; but by taking the Courſe from one known Mountain to another with a Compaſs, and computing the Diſtance by the common Methods of Eſtimation uſed by Travellers on Horſe-back.

Andrew Montour and *John Pattin* ſay, that the Road is very crooked, and that having, by the Governor's Directions (to ſaid *Pattin*) obſerved the Courſes and Diſtances with all the Exactneſs in their Power, it cannot, in their Judgment, on a ſtraight Line, exceed Eighty-five Miles.

By which Eſtimation Sixty-two of the travelled Miles are loſt in the Crooks between the *Three Springs* and *Shanopins*.

William Weſt ſaith likewiſe, that the Road is very crooked, and that in ſeveral Places travelling many Miles produces but a few Miles Weſting; particularly between the *Shawana* Cabbins and *Kekinnypalins*, computed near Thirty Miles, he thinks would not make more than Ten Miles Weſting.

William Weſt farther ſaith, that an Obſervation was made of the Latitude of *Shanopins* Town by Colonel *Fry*, who found it to be in 40. 26. which is about Forty-one Miles *North* of the Temporary Line.

Upon the Premiſes, your Committee would obſerve,

1. That the computed Miles are, as eſtimated by Travellers, who judge only from the

the Time taken up in Travelling, and have never been measured; and that the Miles so computed on the Road from the *Three Springs* to *Shanopins*, added to the measured Length of the Temporary Line, make Twenty-six Miles more than the Mathematicians say there are in five Degrees of Longitude at Lat. 40. 1754. March 7.

2. That the Temporary Line was measured on the Surface of the Earth, up Hills and down Valleys, and therefore, an horizontal Line of One Hundred and Forty-four Miles must extend farther Westward; but how much, your Committee cannot take upon them to say.

3. That the travelled Line from the *Three Springs* to *Shanopins* is not only up Hill and down, through a more mountainous Country, but is agreed by all to deviate much from a straight Line to the Right and Left; and therefore, when drawn out to a horizontal Line, must extend yet farther Westward, in Proportion, than the Temporary Line.

Whether these Irregularities of both Lines, taken all together, will not exceed the Difference of Twenty-six Miles, must be submitted to the Judgment of the House.

And if, upon the Whole, *Shanopins-town* be judged within the Limits of the Royal Grant to our Proprietary, *Weningo*, which by the Testimony of *Andrew Montour*, lies *N. E.* of *Shanopins*, and *North* of *Lawrel-hill*, must be deemed more so; since the Distance from *Lawrel-hill*, on a straight Line to *Shanopins*, does not by his and *Pattin's* Account, exceed Thirty-four Miles.

And accordingly we find that the *French* Map, by *M. Bellin*, lays down the whole *Riviere au Bœuf* (which runs into *Ohio* at *Weningo*) and on which the *French* Forts are built, but about four Degrees of Longitude *West* from *Philadelphia*.

All which is humbly submitted to the Correction of the House, this Seventh Day of *March*, 1754, by

JOSEPH FOX, PETER WORRAL,
BENJAMIN FRANKLIN, JOSEPH ARMSTRONG,
MAHLON KIRKBRIDE, MOSES STARR."
GEORGE ASHBRIDGE,

And the foregoing Report was again read, and considered, and referred to further Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem.*

Ordered, That Candles be brought in.

And they were brought in accordingly.

The House resumed the Consideration of the Report of the Committee on the *Western* Bounds of this Province, and after a considerable Debate thereupon;

Ordered, That *Joseph Fox*, *William Callender*, *Joseph Hampton*, *Thomas Cummings*, *Calvin Cooper*, *Joseph Armstrong* and *Moses Starr* be a Committee to prepare a Draught of an Answer to the Governor's Message of the Second Instant, agreeable to the general Sentiments of the House thereupon.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *March* 8.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, made a Report in Writing, which was read, and is as follows, *viz.*

WE, the Committee appointed to answer the Governor's Message of the Second Instant, having made some Progress therein, find ourselves indispensibly obliged to answer that Part of the said Message wherein the Governor is pleased to say, 'He has undoubted Assurance that Part of his Majesty's Dominions within his Government is, at this Time, invaded by the Subjects of a Foreign Prince, who have erected Forts within the same;' and in Support thereof has since sent down to the House some Papers and Draughts; but considering they depend altogether for their Distances beyond the *Three Springs*, on the Computation made by *Indian* Traders as they have travelled from Place to Place, and the Incorrectness of *John Pattin* and *Andrew Montour*, in regard to their Observations of the Courses and Distances of the Roads, neither of them, as we apprehend, skilled in Mensuration, nor that it has ever been measured; we beg Leave, in an Affair of so much Importance, that the House will be pleased to declare their Sentiments on the said Papers by a Resolve of the House. A Draught of an Answer to the Governor's Message.

JOSEPH FOX, CALVIN COOPER,
WILLIAM CALLENDER, JOSEPH ARMSTRONG,
JOSEPH HAMPTON, MOSES STARR."
THOMAS CUMMINGS,

And the said Report being again read, and considered, the Question was put,

Whether the Papers and Evidences, sent down and referred to by the Governor, do make it clearly appear that the Subjects of a Foreign Prince have erected Forts within the undoubted Limits of this Government? *Past in the Negative.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Ordered, That Candles be brought in.

And they were brought in accordingly.

The

1754. *March* 8. The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of the Second Inſtant, reported the ſame to the Houſe, and it was read, approved, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment *March* 9. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Reſolved, That this Houſe will this Day adjourn to the Sixth Day of the Month called *May* next.

The Meſſage to the Governor being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. WE are willing to hope the ſeveral Parts of the Governor's Meſſage of the Second Inſtant, which neither relate to the Royal Orders, under our immediate Conſideration, nor to this Houſe, are ſuch as, on Reflection, he will think not altogether ſuited to preſerve that Harmony between the ſeveral Branches of the Legiſlature ſo neceſſary at all Times, and eſpecially on this important Occaſion; but as the Governor, in order to obtain this good End, profeſſes himſelf ready to contribute every Thing in his Power, conſiſtent with his Honour, and the Truſt repoſed in him, we ſhall moſt chearfully join with him in this deſirable Purpoſe, ſo far as the Preſervation of our Rights, and the Duty we owe our Conſtituents, can vindicate our Conduct. Nevertheleſs, as the Affairs of our *Indian* Allies, and our neighbouring Colonies, continue in the ſame Situation with regard to us as when we ſent our Meſſage of the Twenty-ſeventh of *February* laſt, we muſt, in a great Meaſure, refer to our Sentiments at that Time. We then were of Opinion, and ſtill think, the ſafeſt Method for us to conduct ourſelves in Obedience to the Royal Commands (equally binding on the Governor and us) would be to recur to Lord *Holderneſſe's* Letter, in which only thoſe Royal Orders were preciſely ſet forth, wherever we judged they differed from the Governor's Sentiments, or the Words of his Meſſage to the Houſe on that Occaſion; yet this is unhappily imputed to us as an Endeavour to elude their Force, and a Pretence, in ſome Meaſure, for not complying with them, although, as the Governor is pleaſed to ſay, it was impoſſible we could have underſtood that Meſſage in any other Light, than as referring to Lord *Holderneſſe's* Letter then lying on our Table; and from this ſuppoſed Miſconduct of ours, the Governor, as we preſume, has ſuddenly altered the whole Connection between us and his Majeſty's Colony of *Virginia*.

As Governor *Dinwiddie* had laid before his Aſſembly the Earl of *Holderneſſe's* Letter, ſent, as we preſume, in the ſame Terms to all the Colonies on the Continent, we judged it moſt prudent to wait till the Aſſembly of that Government had enabled him to act in Obedience to the Royal Commands, eſpecially as they had that Letter under their Conſideration from the firſt of *November* laſt, as appears by the Journal of their Houſe of Burgeſſes now before us; but we are now called upon as Principals, and the Governor is pleaſed to inform us, that he has undoubted Aſſurance that Part of his Majeſty's Dominions within this Government is at this Time invaded by the Subjects of a Foreign Prince, who have erected Forts within the ſame, and calls upon us, purſuant to his Majeſty's Orders, in the preſent Emergency, to grant ſuch Supplies as may enable him to reſiſt thoſe hoſtile Attempts, and repel Force by Force; but as it appears to us the Governor is enjoined, by the Royal Orders, not to act as a Principal beyond the undoubted Limits of his Government, and as by the Papers and Evidences ſent down, and referred to by the Governor, thoſe Limits have not been clearly aſcertained to our Satisfaction; we fear the altering our Connections with his Majeſty's Colony of *Virginia*, and the precipitate Call upon us, as the Province invaded, cannot anſwer any good Purpoſe at this Time, and therefore, we are now inclined to make a ſhort Adjournment."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Edward Warner* and *Joſeph Stretch* wait upon the Governor, and deliver the ſame, and acquaint him that the Houſe propoſe to adjourn to the ſixth Day of the Month called *May* next, if he hath no Objection thereto; and that they will at that Time provide for the Expence of Commiſſioners to be ſent to *Albany*, and make a ſmall Preſent to be delivered by them to the *Indians* of the *Six Nations*, in Behalf of this Province.

The Report of the Committee of Laws being again read, and conſidered;

Ordered, That the Committee who brought in the ſaid Report, be, with *Edward Warner*, *Joſhua Morris*, *Mahlon Kirkbride*, *Joſeph Hampton*, *George Aſhbridge*, *Joſeph Gibbons*, *James Wright*, *Peter Worral*, *Joſeph Armſtrong* and *Moſes Starr*, a Committee to prepare and bring in Bills agreeable to all the ſeveral Articles contained therein, againſt the next Sitting of Aſſembly (excepting the firſt thereof, which is referred to farther Conſideration, and the laſt, for which a Committee is already appointed) and likewiſe that the ſaid Committee do conſider and amend the Bill for regulating Vendues, the Bill for preventing the Exportation of unmerchantable Wheat, *&c.* and the Bill for laying a Tax on Dogs, *&c.*

The

The Committee appointed to wait upon the Governor with the Message of the House, return, and report, that they had delivered the same according to Order, and that the Governor was pleased to say, that he would send down an Answer to the said Message early this Afternoon, and desired that the House would not break up till they received it. 1754. *March* 9.

The Committee of Accounts reported on *John Harris's* and *John Pattin's* Accounts, that it was their Opinion there ought to be allowed the Sum of *Twenty Pounds* to the said *Harris*, and *Fifty Pounds* to the said *Pattin*, in full for their Expences and Trouble in going on their respective Messages from the Governor to the *Indians* at *Ohio*.

And the same being agreed to by the House, Orders were accordingly drawn on the Treasurer for Payment thereof, and signed by the Speaker, by Order of the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Governor, by his Secretary, sent down a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

'MY Desire of establishing Harmony between the Branches of the Legislature is such, 'that on the present Occasion I shall wave several Things personal to myself, 'which at another Time I might think it incumbent on me to take Notice of, and pro- 'ceed to tell you, A Message from the Governor to the Assembly.

'That had you examined, with your usual Accuracy, the Gentlemen who by my Ap- 'pointment attended your House for that Purpose on the Sixth Instant, and compared 'their Testimony with the written Papers at several Times communicated to you, it 'would, I think, have appeared so clear to you, that the *French* have lately erected one or 'more Forts, far within the Limits of this Province, that nothing less than an actual 'Mensuration of the Distance could have made it more evident.

'But, even taking it for granted, that the forementioned Incroachments are not 'within the Bounds of this Province, yet as I have been informed by the Governor of '*Virginia*, that hostile Attempts have been made on Part of his Majesty's Dominions, 'and have been called upon by him for the Assistance of this Province, to repel the In- 'vaders; you must be sensible, it is equally your Duty, in either of these Cases to grant 'such Supplies as the present Exigency of Affairs requires, and which, by his Majesty's 'Orders, contained in Lord *Holderness's* Letter (and by you acknowledged to be equal- 'ly binding on both of us) I do now repeat to you the Necessity of.

'I cannot therefore but be apprehensive that your Adjournment for so long a Time as 'to the Sixth of *May*, will defeat any Measures that might have been taken for that 'Purpose for this Year, and consequently that his Majesty's just Expectations from us 'may be altogether frustrated.

'However (if you persist in it) as the Right of Adjournment is a Privilege of your 'House, I must acquiesce therewith, and content myself with the Consciousness of 'having executed his Majesty's Commands in the best Manner I have been able.

March 9, 1754. *JAMES HAMILTON.*"

And the said Message being again read, and considered;

Resolved, That as the Governor has a Right to summon the Assembly, whenever his Majesty's Service, or that of the Province requires it, this House adhere to their Adjournment.

An Account from *Hannah Boyd*, amounting to *Six Pounds Fourteen Shillings and Fourpence*, for the Board and Diet of *Andrew Montour*, during his Stay in Town, was laid before the House, read, and allowed:

And an Order for the Payment of the same was drawn on the Treasurer, and signed by the Speaker, by Order of the House.

Resolved, That *One Hundred Pounds Sterling*, be now paid to the Speaker, to be by him transmitted to the Agent in *Great-Britain*, to remain in his Hands for the Service of this Province, and to be accounted for hereafter.

And an Order was drawn on the Treasurer for Payment thereof, and signed by the Clerk, by Order of the House.

Ordered, That the Minutes of this, and the last Sitting of Assembly, be printed as soon as conveniently may be.

Then the House adjourned to the Sixth Day of the Month called *May* next. Adjournment

THE Representatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, the House accordingly met. *April* 2.

Ordered, That *Joseph Trotter* and *Evan Morgan* wait upon the Governor, and acquaint him, that the House is met, and ready to receive any Thing he may have to lay before them; and desire a Copy of the Writs by which they were summoned.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they went to the Secretary's to enquire if the Governor was in

1754. *April* 2. Town; who informed them, that he was not, but that the Governor had given him Direction to receive the Meſſage of the Houſe, and to acquaint them, that he would ſend a Meſſage down to the Houſe by Half an Hour after Ten o'Clock To-morrow Morning.

Adjournment *April* 3. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Governor, by his Secretary, ſent down a written Meſſage to the Houſe, with ſundry Papers referred to therein; and alſo the Writs by which the Houſe were called; and one of them was read, and *Ordered to lie on the Table.*

The Governor's Meſſage being likewiſe read, was in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I AM not inſenſible that an Abſence from your Homes, at this buſy Seaſon of the 'Year, muſt be very inconvenient to your private Affairs; for which Reaſon I ſhould not 'have called you together, before the Time to which you ſtood adjourned, but that I 'thought the Service of his Majeſty, and the Intereſt of your Country required it.

'In my ſeveral Meſſages during your late Seſſion, to which I deſire to refer you, I 'fully repreſented the dangerous Conſequences that were to be apprehended from the 'Invaſion made by the *French*, on Part of his Majeſty's Dominions; and, in Obedience 'to his Royal Orders, I preſſed you in the warmeſt Manner, to grant ſuch Supplies of 'Men and Money, as might enable me to reſiſt the hoſtile Attempts of theſe Invaders, 'and to repel Force by Force.——But for the Reaſons ſet forth in your Anſwers, and 'particularly that you were "unacquainted with the Reſult of the Government of *Vir-*"*ginia* with regard to this Invaſion," you declined granting the Supplies at that Time, 'and "judged it moſt prudent to wait until the Aſſembly of that Colony had en-"abled their Governor to act in Obedience to the Royal Commands."

'I am now to acquaint you, Gentlemen, that, ſince your Adjournment, I have re-'ceived from Governor *Dinwiddie*, the ſeveral Papers herewith laid before you; by 'which it will appear, that he is taking all imaginable Pains for the Security of his 'Majeſty's Dominions, ſo far as the Proviſion made by his Aſſembly will permit him to 'act; and that he is very impatient to know the Iſſue of your Deliberations on this Sub-'ject.——I cannot therefore doubt but, agreeable to the Profeſſions in your Meſſage of 'the Twenty-ſeventh of *February*, "of being ready and willing to demonſtrate your "Duty and Loyalty, by giving ſuch Sums of Money to the King's Uſe upon all ſuitable "Occaſions as may conſiſt with your Circumſtances, or can reaſonably be expected from "this Province;" I ſay I cannot doubt but you will, with the greateſt Alacrity, lay 'hold on the preſent Opportunity of evincing the Sincerity of thoſe Profeſſions, by 'granting ſuch an Aid to his Majeſty, as may comport with the Circumſtances of the 'Province, and be ſuitable to the Exigence of the Service. And in the doing of this, 'I hope you will be guided rather by the Importance of the Concern, than by the Ex-'ample of other Colonies: It being found by Experience to be a very ill-judged Piece 'of Oeconomy to cramp an Enterprize of this Nature in the Article of Supplies; and 'that whatever is given on ſuch Occaſions, ſhort of being ſufficient to accompliſh the 'Ends propoſed, becomes, for the moſt Part, a Waſte of ſo much Treaſure, without 'anſwering any of the Purpoſes for which it was intended.

'I have at preſent only to add my Requeſt, that whatever you think proper to do on 'this Occaſion, may receive all the Diſpatch the Nature of the Thing will admit of; 'the Seaſon of the Year for Action advancing ſo faſt, that unleſs our Meaſures be 'ſpeedily taken, they will, I fear, be rendered altogether unſerviceable.

April 3, 1754. *JAMES HAMILTON.*"

The ſeveral Papers ſent down with the foregoing Meſſage were alſo read, and ordered to lie on the Table for the Peruſal of the Members.

Two Letters from the Agent to the Committee of Correſpondence were laid before the Houſe, and ſeverally read, and *Ordered to lie on the Table.*

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

An Extract of a Letter from *George Croghan*, to *Richard Peters*, Eſq; concerning two Accounts of his againſt the Province (from one of which, as he ſets forth, the Sum of *Fifty Pounds*, and from the other, the Sum of *Thirty Pounds*, have been ſtruck off by a former Aſſembly) was laid before the Houſe and read, and referred to the Committee of Accounts.

A Petition from *Benjamin Bagnall*, junior, now in the Goal of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioner having ſundry Actions of Debt brought againſt him, was in Purſuance thereof, committed to the ſaid Goal in *April* 1753; and finding that his Circumſtances were ſo ſtraitened as that it was not in his Power to ſatisfy the whole of his Debts, he offered to reſign all his Effects to his Creditors, to be proportioned amongſt them; that ſome of the ſaid Creditors refuſing to accept of his Offer aforeſaid, the Petitioner applied to the Inſolvent Court in *December* laſt for Relief in the Premiſes; but upon a groundleſs Pretence, raiſed by one or two of his ſaid Creditors, of his having concealed ſome of his Effects, he was remanded to Priſon till

till a further Hearing should be had, on a Day appointed in the Sessions in *January* last; that at the said appointed Time, the Petitioner made it appear to the said Court, that he had rendered a just and true Account of all his real and personal Estate, yet nevertheless, such was the Cruelty of two or three of his Creditors, that he was then again remanded to Goal, they agreeing to allow *Three Shillings per* Week for his Support, an Allowance, small as it is, yet cannot be exceeded by Law; that the Petitioner has a suffering Wife, and two small Children, dependent on him, which must inevitably become chargeable to the Public, or perish for Want of the Necessaries of Life, as it is not now in his Power to do any Thing for their Subsistence; that the Petitioner apprehends the Insolvent Act was well intended for the Relief of such unhappy Persons as by Losses or other Misfortunes should be rendered unable to pay their Debts, yet he humbly presumes, that the said Act is defective, in having left it in the Power of a merciless Creditor to keep a Man languishing his whole Life in Goal, and hath not made necessary Provision for those Debtors who are burthened with large Families; the Petitioner therefore humbly prays that this House would take the Premises into their serious Consideration, and grant him such Relief as in their Wisdom shall seem most meet. *Ordered to lie on the Table.* 1754. *April.* 3.

An Account from *Benjamin Franklin*, for the Printing and Binding the second Volume of the old Votes of the Assemblies of this Province, was laid before the House, read, and allowed.

And an Order for Payment thereof was drawn on the Trustees of the General Loan-Office, and signed by the Speaker, by Order of the House.

The Message from the Governor was again read and considered, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *William Chancellor*, of the City of *Philadelphia*, Practitioner in Physic, was presented to the House and read, praying, that as the Powder-House, near the said City is kept in good Order, and answers the Purposes for which it was erected, that this House would be pleased to continue the Profits arising therefrom to the Use of his two younger Sisters, who, with *William Hill*, the Person who attends the same, have hitherto been chiefly supported and maintained thereby; or if this House should think proper to remove the said Powder-House to a more suitable Place, that they would be pleased to appoint the Petitioner the Keeper thereof, in Behalf and for the Use of his Sisters aforesaid. *Ordered to lie on the Table.* *April* 4.

The Governor's Message was again read, considered and debated, and after a considerable Time spent thereon, the same was referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor, by his Secretary, sent down to the House a written Message, which was read, and is as follows, *viz.* *Post Meridiem*

GENTLEMEN,

A Message from the Governor to the Assembly.

'AS you have signified to me your Willingness to provide for the Expence of sending Commissioners to *Albany* at the ensuing Treaty to be held there, and also of making a Present to the *Indians* of the *Six Nations*, on Behalf of this Province, I thought it incumbent on me to obtain the best Intelligence I was able, of what was proposed to be transacted at that Treaty, for the general Benefit and Advantage of these Colonies, and of every other Thing relating thereto which I conceived necessary for your Information, when you should take this Subject more particularly into Consideration.

'With this View I wrote to Governor *De Lancey*, whom the King has been pleased to set at the Head of this Convention, whose well known Abilities, and Experience in *Indian* Affairs, render him in every Respect equal to the important Trust. And as he has been pleased, by his Letter of the First Instant, to communicate his Sentiments fully and freely upon the several Points I imagine you will be desirous of being acquainted with, I have chosen to lay the same before you in his own Words; from whence, and from what Governor *Shirley* has so well said upon the same Subject, added to your own Knowledge of the present Circumstances of Affairs, you will be able to offer me your Advice upon this Occasion, to which you may be assured I shall pay the greatest Regard. And I must the rather insist on this, as, without a perfect Knowledge of your Sentiments, from whom all future Supplies, upon any Agreement to be made between the several Colonies, must come, it will be very difficult, if not impossible, for me to give such Instructions to the Gentlemen Commissioners on the Part of this Province as may be suitable and adequate to the Purpose.

April 4, 1754. *JAMES HAMILTON.*"

The Letter from Governor *De Lancey*, referred to in the foregoing Message, was also read, and ordered to lie on the Table for the Perusal of the Members.

The

1754.

The Governor's Meſſage of Yeſterday being again read, and conſidered, was after ſome Time referred to farther Conſideration.

April 4. Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 5.

The Governor's Meſſage of the *Third* Inſtant was again read; and, after a conſiderable Debate thereupon, the ſame was referred to further Conſideration in the Afternoon.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o' Clock, *P. M.*

The Houſe proceeded upon the Conſideration of the Governor's Meſſage, which was read again, and debated, and, after a long Time ſpent thereon,

Reſolved, That a Sum of Money be at this Time given to the King's Uſe:

YEAS.	NAYS.
Evan Morgan,	*Edward Warner*,
Hugh Evans,	*Joſeph Trotter*,
Joſeph Stretch,	*Joſhua Morris*,
Benjamin Franklin,	*Joſeph Fox*,
William Callender,	*Joſeph Hamton*,
Mahlon Kirkbride,	*Samuel Brown*,
Griffith Owen,	*Jonathan Ingham*,
Derrick Hogeland,	*William Hoge*,
William Smith,	*Thomas Cummings*,
Joſeph Gibbons,	*Nathaniel Pennock*,
Peter Dicks,	*George Aſhbridge*,
James Wright,	*Nathaniel Grubb*,
Calvin Cooper,	*William Peters*,
John Wright,	*Joſeph James*,
David M'Connaughy,	*Peter Worral*,
John Armſtrong,	*Moſes Starr*.
Joſeph Armſtrong,	
William Parſons.	

Ordered, That *Joſeph Stretch*, *Benjamin Franklin*, *William Callender*, *Mahlon Kirkbride*, *Joſeph Gibbons*, *Calvin Cooper*, *John Wright*, *Joſeph Armſtrong* and *William Parſons* be a Committee to prepare and bring in a Bill for granting a Sum of Money to the King's Uſe, to be ſunk by the Exciſe on ſpirituous Liquors; and for ſtriking a further Sum of Bills of Credit, for exchanging ſuch as are torn and ragged.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 6.

The Governor's Meſſage of the *Fourth* Inſtant being again read, together with the Letters therein referred to,

Ordered, That *William Callender* and *William Parſons* wait upon the Governor, and acquaint him, that the Houſe deſire he would be pleaſed to inform them what Gentlemen he purpoſes to appoint as Commiſſioners for the intended Treaty at *Albany*.

Ordered, That *Joſeph Gibbons* have Leave to be abſent till *Third-day* next, on urgent Buſineſs.

Adjournment

Then the Houſe adjourned to next *Second-day* at Three o'Clock, *P. M.*

April 8.

The Houſe met purſuant to their Adjournment.

Poſt Meridiem

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he intended to have appointed Mr. *Penn* and Mr. *Peters*, of the Council, and Mr. *Norris* and Mr. *Franklin*, of the Aſſembly, to be the Commiſſioners for this Province at the Treaty propoſed to be held at *Albany* in *June* next.

Ordered, That Candles be brought in.

And they were brought in accordingly.

A Bill for ſtriking the Sum of *Thouſand Pounds* in Bills of Credit, and for granting *Thouſand Pounds* thereof to the King's Uſe, and to provide a Fund for ſinking the ſame; and for applying the Remainder to the Exchange of ragged and torn Bills now current in this Province, was brought in by the Committee appointed to prepare the ſame, and read the firſt time, and ordered a ſecond Reading.

A Petition from *Joſeph Redman*, Collector of the Exciſe for the City and County of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioner is informed that this Houſe is now preparing a Bill, wherein it is propoſed to prolong the Act for laying a Duty on ſpirituous Liquors to a further Time; that the Petitioner having for ſome Time paſt been favoured with the Office of Collector of the ſaid Duties for the ſaid City and County, in which he would willingly hope he hath acted to the Satisfaction of the Aſſemblies of this Province for the Time being; therefore humbly prays that he may be continued therein for ſuch longer Time as to the Wiſdom of this Houſe ſhall ſeem moſt proper. *Ordered to lie on the Table.*

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 9.

A Petition from ſundry Inhabitants of the County of *Cheſter*, was preſented to the Houſe, and read, ſetting forth, that the Petitioners conceive that the Exciſe upon

ſpirituous

ſpirituous Liquors, retailed within this Province, falls heavy upon the Farmers, by Reaſon of the Quantity of ſaid Liquors they are obliged to uſe in Harveſt Time; that the Petitioners are humbly of Opinion, that if *One Penny Halfpenny per* [illegible]llon was to be paid by the Importers and Diſtillers of ſuch Liquors within this Pr[illegible]ce, it would amount to conſiderably more than the Money raiſed by the Exciſe as it now ſtands; the Petitioners therefore pray that this Houſe would take the Premiſes into Conſideration, and grant them ſuch Relief therein as ſhall be judged moſt ſuitable. 1754. *April* 9.

Ordered to lie on the Table.

The Bill for ſtriking the Sum of *Thouſand Pounds* in Bills of Credit, and for granting *Thouſand Pounds* thereof to the King's Uſe, and to provide a Fund for ſinking the ſame; and for applying the Remainder to the Exchange of torn and ragged Bills now current in this Province, was read the ſecond time; and, after ſome Time ſpent in Conſideration thereof, it was committed for Amendment to the Committee who brought in the ſame.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Bill for ſtriking the Sum of *Thouſand Pounds*, &c. being amended by the Committee, was read by Paragraphs; and, after a conſiderable Debate concerning the Sum to be inſerted therein as given to the King's Uſe, the Queſtion being put, *Whether the Sum of* Twenty Thouſand Pounds *ſhould be now given to the King's Uſe?* It

Paſſed in the Negative.

YEAS.	NAYS.	NAYS.
Evan Morgan,	*Edward Warner,*	*William Smith,*
Benjamin Franklin,	*Joſeph Trotter,*	*Thomas Cummings,*
Griffith Owen,	*Joſhua Morris,*	*Nathaniel Pennock,*
John Wright,	*Hugh Evans,*	*George Aſhbridge,*
David M'Connaughy,	*Joſeph Stretch,*	*Joſeph Gibbons,*
John Armſtrong,	*Joſeph Fox,*	*Nathaniel Grubb,*
Joſeph Armſtrong,	*William Callender,*	*Peter Dicks,*
William Parſons.	*Mahlon Kirkbride,*	*William Peters,*
	Joſeph Hamton,	*James Wright,*
	Samuel Brown,	*Calvin Cooper,*
	William Hoge,	*Peter Worral,*
	Derrick Hogeland,	*Moſes Starr.*
	Jonathan Ingham,	

And the Queſtion being put, *That the Sum of* Fifteen Thouſand Pounds *be given to the King's Uſe at this Time?* It alſo

Paſſed in the Negative.

YEAS.	NAYS.	NAYS.
Evan Morgan,	*Edward Warner,*	*Jonathan Ingham,*
Benjamin Franklin,	*Joſeph Trotter,*	*William Smith,*
Griffith Owen,	*Joſhua Morris,*	*Thomas Cummings,*
James Wright,	*Hugh Evans,*	*Nathaniel Pennock,*
Calvin Cooper,	*Joſeph Stretch,*	*George Aſhbridge,*
John Wright,	*Joſeph Fox,*	*Joſeph Gibbons,*
David M'Connaughy,	*William Callender,*	*Nathaniel Grubb,*
John Armſtrong,	*Mahlon Kirkbride,*	*Peter Dicks,*
Joſeph Armſtrong,	*Joſeph Hamton,*	*William Peters,*
William Parſons.	*Samuel Brown,*	*Peter Worral,*
	William Hoge,	*Moſes Starr.*
	Derrick Hogeland,	

The Queſtion then was put, *That* Ten Thouſand Pounds *be now given to the King's Uſe?* And that likewiſe

Paſſed in the Negative.

YEAS.	NAYS.	NAYS.
Evan Morgan,	*Edward Warner,*	*Derrick Hogeland,*
Benjamin Franklin,	*Joſeph Trotter,*	*Jonathan Ingham,*
Griffith Owen,	*Joſhua Morris,*	*William Smith,*
Peter Dicks,	*Hugh Evans,*	*Thomas Cummings,*
James Wright,	*Joſeph Stretch,*	*Nathaniel Pennock,*
Calvin Cooper,	*Joſeph Fox,*	*George Aſhbridge,*
John Wright,	*William Callender,*	*Joſeph Gibbons,*
David M'Connaughy,	*Mahlon Kirkbride,*	*Nathaniel Grubb,*
John Armſtrong,	*Joſeph Hamton,*	*William Peters,*
Joſeph Armſtrong,	*Samuel Brown,*	*Peter Worral,*
William Parſons.	*William Hoge,*	*Moſes Starr.*

Ordered, That the Conſideration of the Sum to be given to the King's Uſe be referred to To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe went upon the Conſideration of the Sum to be granted to the King's Uſe; *April* 10.

1754. and after a long Time ſpent therein, the ſame was referred to further Conſideration in the Afternoon.

April 10. Adjournment *Poſt Meridiem.* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Houſe proceeded upon the Conſideration of the Sum to be given to the King's Uſe at this Time; and after a conſiderable Debate thereupon, it was referred to further Conſideration To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 11. The Houſe again reſumed the Conſideration of the Sum to be given to the King's Uſe; and after a long Debate, the Queſtion was put, *Whether* Five Thouſand Pounds *ſhould be the Sum given to the King's Uſe at this Time?* *Paſt in the Negative.*

YEAS.	NAYS.	NAYS.
Hugh Evans,	*Edward Warner,*	*Thomas Cummings,*
Joſeph Stretch,	*Evan Morgan,*	*Nathaniel Pennock,*
Mahlon Kirkbride,	*Joſhua Morris,*	*George Aſhbridge,*
Derrick Hogeland,	*Joſeph Fox,*	*Nathaniel Grubb,*
William Smith,	*Benjamin Franklin,*	*Willam Peters,*
Joſeph Gibbons,	*William Callender,*	*Peter Worral,*
Peter Dicks,	*Joſeph Hamton,*	*David M'Connaughy,*
James Wright,	*Samuel Brown,*	*John Armſtrong,*
Calvin Cooper,	*William Hoge,*	*Joſeph Armſtrong,*
John Wright.	*Griffith Owen,*	*Moſes Starr,*
	Jonathan Ingham,	*William Parſons.*

Ordered, That *Joſhua Morris, Benjamin Franklin, William Callender, Jonathan Ingham, Thomas Cummings, Peter Worral, David M'Connaughy, John Armſtrong, Moſes Starr* and *William Parſons* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſage of the Third Inſtant, and report the ſame to the Houſe.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read by Order.

Reſolved, That this Houſe will this Week adjourn to the *Thirteenth* Day of the Month called *May* next;

The Meſſage from the Governor of the Fourth Inſtant, with the Letters from the Governors of *Boſton* and *New-York* referred to therein, being ſeverally read, and conſidered;

Reſolved, That the Sum of *Five Hundred Pounds* be given, in Behalf of this Province, as a Preſent to the *Indians* of the *Six Nations,* at the Treaty propoſed to be held at *Albany* in *June* next.

Ordered, That the Committee who prepared the Draught of the Anſwer to the Governor's Meſſage, do add a Clauſe to the ſaid Draught to inform the Governor of the foregoing Reſolves, and that the Houſe approve of the Commiſſioners he has been pleaſed to nominate for the intended Treaty at *Albany,* and will make Proviſion for their Expences at the next Sitting; when the Houſe will likewiſe conſider the Governor's Meſſage of the Fourth Inſtant, and the Papers communicated therewith, and offer their Sentiments to him on the important Matters they contain.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 12. A Letter from the Agent to the Speaker was laid before the Houſe, and read.

The Committee having added a Clauſe to the Draught of an Anſwer, agreeable to the Order of the Houſe, the ſaid Anſwer was again read, approved of, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. WHENEVER the Service of the King, or the Intereſt of the Country, may appear to require their Attendance in Aſſembly, we hope the Repreſentatives of the People will always, as they have now done, pay a ready and chearful Obedience to the Governor's Call, however inconvenient the Seaſon may be with reſpect to their private Affairs: We are nevertheleſs thankful to the Governor for his conſiderate Regard to our Circumſtances on the preſent Occaſion, expreſſed in his Meſſage of the Third Inſtant.

And we now beg Leave to inform the Governor, that we have had that Meſſage under our ſerious Conſideration ever ſince it came down to the Houſe; but, after all our Debates thereupon, we find, that near one Half of the Members are, for various Reaſons, againſt granting any Money to the King's Uſe at this Time; and thoſe who are for granting, differ ſo widely in their Sentiments concerning the Sum, that there ſeems at preſent no Poſſibility of their agreeing, except in ſuch a Sum, as, in the Jugdment of many of them, is quite diſproportionate to the Occaſion: Therefore, and that the Members may have an Opportunity of conſulting their Conſtituents on this important Affair, we are now inclined to adjourn to the Thirteenth of the next Month.

We

1754. *April* 12.

We thank the Governor for his very obliging Message of the Fourth Instant, and shall take the same, and the Papers therewith communicated to us, under Consideration, and offer our Sentiments to the Governor on the weighty Matters they contain at our next Meeting. At the same Time we shall provide for the Expences of the Commissioners the Governor has been pleased to nominate for the Treaty at *Albany*, of whom we approve, and have now voted a Present of *Five Hundred Pounds*, to be by them delivered to the *Indians* on that Occasion, in Behalf of this Province."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Samuel Brown* and *Griffith Owen* wait upon the Governor, and deliver the same, and acquaint him, that the House propose to make the Adjournment, mentioned in their said Message, some Time To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

April 13. The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would take it into his Consideration, and return an Answer to the House this Morning, if he found it necessary.

The Governor, by his Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I CALLED you to meet me in Assembly before the Time to which you stood adjourned, to give you an Opportunity of demonstrating your Duty to the King, by granting such an Aid to his Majesty, as might be sufficient, in Conjunction with the other Colonies, to secure his Dominions against any further Invasion by the *French*, and, if Need should be, to repel the Invaders; and to that Purpose I sent you a Message on the Third Instant.——It could not therefore but surprize me to find that, after so long Deliberation, the first Occasion of my hearing from you on that Subject should be to signify to me your Inclination to adjourn to the Thirteenth of *May* next, without having in any Shape provided for the Service recommended to you.

'I am very unwilling to have any Difference with you on this or any other Occasion, where it can possibly be avoided: And therefore, after declaring to you my Opinion, that so long an Adjournment will render any Thing you can then propose to do for his Majesty's Service ineffectual to the Ends he has been pleased to recommend, I shall leave you to act therein, as to yourselves shall seem most expedient.

'I am pleased, nevertheless, with your Determination to provide for the Expences of the Gentlemen to be appointed, on the Part of this Province, for conducting the Treaty at *Albany*, and with the Sum voted as a Present to the *Indians* on that Occasion. It is likewise a Satisfaction to me to find that the Nomination I have made of Commissioners for that Service is agreeable to you.

April 13, 1754. *JAMES HAMILTON.*"

The House taking the said Message into their Consideration,

Resolved, That this House will this Day adjourn to the *Sixth* Day of the Month called *May* next, the Time to which they stood adjourned before the Call of the Governor.

Ordered, That *Evan Morgan* and *William Callender* wait upon the Governor, and acquaint him, that the House having considered his Message of this Morning, have thought it proper to shorten the Adjournment mentioned in their Message of Yesternight, and to adjourn to the *Sixth* of the Month called *May* next.

The Petition from *Benjamin Bagnall*, junior, was again read, and considered, and after some Time spent therein;

Ordered, That *Evan Morgan*, *Joseph Fox*, *Benjamin Franklin* and *William Callender* be a Committee to enquire into the Facts set forth in the said Petition, and report their Opinion thereupon at the next Sitting of Assembly.

Ordered, That the Minutes of this Sitting be printed with all convenient Speed.

Then the House adjourned to the *Sixth* Day of the Month called *May* next. Adjournment

May 6. *Post Meridiem.*

THE House met pursuant to their Adjournment.

Ordered, That *Evan Morgan* and *William Callender* wait upon the Governor, and acquaint him, that the House have met according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

May 7. The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they went to the Secretary's; who informed them, that he had Directions from the Governor to receive the Message of the House, and to acquaint them that the Governor would send a Message down to the House this Morning.

The Governor, by his Secretary, sent down a written Message to the House, with sundry

1754. *May* 7. ſundry Papers referred to therein, which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'AS you are now met to reſume the Conſideration of the ſeveral Matters repeatedly and earneſtly recommended to you in Conſequence of his Majeſty's Commands; in Addition to what has been already communicated, I now lay before you the melancholy Account which I received on *Friday* laſt, by Expreſs, from Colonel *Waſhington*, of the Appearance of a *French* Army of upwards of One Thouſand Men, with eighteen Pieces of Artillery, before the Fort building by the *Virginians*, on the *Ohio*, near the Mouth of *Mohongialo*, and of the Surrender thereof, on the Seventeenth of laſt Month, to their ſuperior Force.

'I thought it neceſſary, after your Adjournment, to ſend an Expreſs to Governor *Dinwiddie*, in order to be particularly informed, whether the Forces, raiſed in his Government, were actually marched towards *Ohio*, and in what Number; and what Accounts he had of their Proceedings, or of thoſe of the *French*;—what Aſſiſtance he could depend on from the other Colonies, and, in general, whatever ſhould occur to him, neceſſary for my Information, with reſpect to this Affair, and to acquaint me how I might be the moſt uſeful to him; and I have the Satisfaction to communicate to you his Anſwer.

'When you take into Conſideration thoſe Parts of my Meſſages which relate to the Treaty at *Albany*, I muſt deſire you will weigh, with the utmoſt Attention, the ſeveral Matters recommended by Governor *De Lancey* in his Letter of the Nineteenth of *April*; and as they are of great Importance to the Intereſt of his Majeſty's Colonies in general, and of this in particular, I hope they will have their due Weight with you in your Deliberations and Advice.

'The Propoſals made by the Governors of *Boſton* and *New-York*, for an Union of the ſeveral Colonies in *Indian* Affairs, is ſo agreeable to my Sentiments, that I earneſtly recommend it to your Conſideration; and that you will enable me to inſtruct the Commiſſioners from this Province to concur with thoſe from the other Colonies, in Caſe a reaſonable Plan ſhall be offered them for that Purpoſe. This Method of acting in Concert, and by fair and equitable Quotas and Proportions of Expence, will, in the End, be much leſs chargeable, and greatly more beneficial to our real Intereſt, than the Practice now in Uſe of making frequent and diſtinct Preſents to the *Indians*, which have been found, by Experience, to contribute little or nothing to their real Strength or Security; but on the contrary, has adminiſtered Occaſions of Debaucheries and Contentions among themſelves, which have produced irreconcileable Animoſities in Families, and obliged them often to ſeparate from one another, to the great Weakening of our *Indian* Intereſt, and Advantage of our powerful and enterprizing Rivals.

'Not having of a long Time heard any Thing from the *Indians*, living on the Waters of the *Saſquehannah*, I thought it neceſſary to ſend Mr. *Weiſer* to them with a reſpectful Meſſage, conceived in general Terms, and with a View only to be informed in what Light the Hoſtilities of the *French* had been repreſented to them; and whether any, and what Meaſures had been propoſed to them in Relation thereto.

'Mr. *Weiſer's* Journey anſwered my Purpoſe, as you will ſee by his Letters, which he diſpatched to me by his Son, as ſoon as he returned to his own Home.

May 7, 1754. *JAMES HAMILTON.*"

The Papers ſent down with the foregoing Meſſage, were entituled as follows, *viz.*

1. *A Letter from Colonel* Waſhington, *to the Governor*; *dated at* New-ſtore, *on* Potowmack, *April* 27, 1754.

2. *A Summons, by Order of* Contrecœur, *Captain of one of the Companies of the Detachment of the* French *Marine*; *Commander in Chief of his Moſt Chriſtian Majeſty's Troops, now on the* Beautiful River; *To the Commander of thoſe of the King of* Great-Britain, *at the Mouth of the River* Monongahela. Dated from the *French* Camp, *April* 6, 1754.

3. *A Speech ſent from the* Half-King, Scaronyady, *and the* Belt of Wampum, *to the Governors of* Virginia *and* Pennſylvania.

4. *A Letter from Governor* Dinwiddie, *to Governor* Hamilton; dated *April* 27, 1754.

5. *A Letter from Governor* De Lancey, *to Governor* Hamilton; dated *April* 19, 1754.

6. *An Extract of a Letter from the Commanding Officer at* Oſwego, *to the Governor of* New-York; *giving an Account of the March of a Body of* French *Troops from* Canada *towards the* Ohio; dated *March* 27, 1754.

7. *A Copy of the Reſolve of the Aſſembly of* New-York, *on the Seventeenth of* April *laſt, to join with the other Colonies in the Expence of erecting Forts in the Northern Parts of that Province, and in the Country of the* Six Nations, *to ſecure the Wives and Children of thoſe* Indians, *when they go out to War in Behalf of the* Britiſh *Nation.*

8. *A Letter from* Conrad Weiſer *to the Governor, containing an Account of his Journey to* Shamokin; dated *May* 2, 1754.

9. *A Paper*

9. *A Paper containing the* Indian *News, which* Conrad Weiser *heard when at* Shamokin. 1754.
The Secretary also laid before the House an Account of *James Foley*, for his Expences and Trouble in coming Express from Colonel *Washington* to the Governor, amounting to *Eighteen Pounds Five Shillings*, which was read, and referred to the Committee of Accounts. *May* 7.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Committee of Accounts reported, that they are of Opinion, that the Account of *James Foley* ought to be allowed; to which the House assenting, an Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same. *Post Meridiem*

The said *James Foley* attending, was called in, and having answered such Questions as were put to him by the House, relating to the present Situation of Affairs on the *Western* Frontiers, was ordered to withdraw.

The Message from the Governor, with the several Papers therein referred to, being again read, and considered;

Resolved, That this House will To-morrow Morning proceed upon the Bill which was brought into the House at the last Sitting, for striking the Sum of *Thousand Pounds* in Bills of Credit, and for granting *Pounds* thereof to the King's Use, and to provide a Fund for sinking the same; and for applying the Remainder to the Exchange of torn and ragged Bills, now current in this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House, according to the Resolve of Yesternight, went upon the Consideration of the Bill for striking the Sum of *Thousand Pounds* in Bills of Credit, and for granting *Pounds* thereof to the King's Use, *&c.* and, after some Time spent therein, the same was referred to farther Consideration in the Afternoon. *May* 8.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Bill for striking the Sum of *Thousand Pounds* in Bills of Credit, and for granting *Pounds* thereof to the King's Use, *&c.* being again read, and debated; the Question was put, *Whether the Sum of* Twenty Thousand Pounds *should be now given to the King's Use?* *Post Meridiem*

Past in the Negative.

YEAS.	NAYS.	NAYS.
Evan Morgan,	*Edward Warner,*	*William Smith,*
Benjamin Franklin,	*Joseph Trotter,*	*Thomas Cummings,*
Griffith Owen,	*Joshua Morris,*	*Nathaniel Pennock,*
John Wright,	*Hugh Evans,*	*George Ashbridge,*
David M'Connaughy,	*Joseph Stretch,*	*Joseph Gibbons,*
John Armstrong,	*Joseph Fox,*	*Nathaniel Grubb,*
Joseph Armstrong,	*William Callender,*	*Peter Dicks,*
William Parsons.	*Mahlon Kirkbride,*	*William Peters,*
	Joseph Hamton,	*Joseph James,*
	Samuel Brown,	*Calvin Cooper,*
	William Hoge,	*Peter Worral,*
	Jonathan Ingham,	*Moses Starr.*

The Question was then put, *Whether the Sum of* Fifteen Thousand Pounds *shall be given to the King's Use at this Time?*

Past in the Negative.

YEAS.	NAYS.	NAYS.
Evan Morgan,	*Edward Warner,*	*Jonathan Ingham,*
Benjamin Franklin,	*Joseph Trotter,*	*Thomas Cummings,*
Griffith Owen,	*Joshua Morris,*	*Nathaniel Pennock,*
William Smith,	*Hugh Evans,*	*George Ashbridge,*
Calvin Cooper,	*Joseph Stretch,*	*Joseph Gibbons,*
John Wright,	*Joseph Fox,*	*Nathaniel Grubb,*
David M'Connaughy,	*William Callender,*	*Peter Dicks,*
John Armstrong,	*Mahlon Kirkbride,*	*William Peters,*
Joseph Armstrong,	*Joseph Hamton,*	*Joseph James,*
William Parsons.	*Samuel Brown,*	*Peter Worral,*
	William Hoge,	*Moses Starr.*

Resolved, That the Sum of Ten Thousand Pounds *be now given to the King's Use?*

YEAS.	YEAS.	NAYS.	NAYS.
Evan Morgan,	*William Smith,*	*Edward Warner,*	*George Ashbridge,*
Hugh Evans,	*Peter Dicks,*	*Joseph Trotter,*	*Joseph Gibbons,*
Joseph Stretch,	*Calvin Cooper,*	*Joshua Morris,*	*Nathaniel Grubb,*
Benjamin Franklin,	*John Wright,*	*Joseph Fox,*	*William Peters,*
William Callender,	*David M'Connaughy,*	*Samuel Brown,*	*Joseph James,*
Mahlon Kirkbride,	*John Armstrong,*	*William Hoge,*	*Peter Worral,*
Joseph Hamton,	*Joseph Armstrong,*	*Thomas Cummings,*	*Moses Starr,*
Griffith Owen,	*William Parsons.*	*Nathaniel Pennock,*	
Jonathan Ingham,			

1754. *May* 8. *Reſolved, N. C. D.* That *Twenty Thouſand Pounds* be now ſtruck in Bills of Credit, for the Exchange of ſuch as are torn and ragged, and now current by Law within this Province.

Ordered, That the Bill for ſtriking the Sum of *Thouſand Pounds*, and for granting *Pounds* thereof to the King's Uſe, *&c.* be committed to the Committee who brought it in, to be made agreeable to the foregoing Reſolves; and for Amendment

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 9. The Bill for ſtriking the Sum of *Thouſand Pounds*, &c. being made agreeable to the Reſolves of Yeſternight, was read, with the Amendments, the firſt time, and conſidered; and the farther Conſideration therof was referred to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill, entituled, *An Act for ſtriking the Sum of* Thirty Thouſand Pounds *in Bills of Credit, and for granting* Ten Thouſand Pounds *thereof to the King's Uſe*, &c. being read the ſecond time, and ſome Alterations made therein at the Table;

Ordered, That the ſaid Bill be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 10. The Bill, entituled, *An Act for ſtriking* Thirty Thouſand Pounds *in Bills of Credit, and for granting* Ten Thouſand Pounds *thereof to the King's Uſe, and to provide a Fund for ſinking the ſame; and for applying the Remainder to the Exchange of torn and ragged Bills now current in this Province*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Griffith Owen* and *William Parſons* wait upon the Governor with the ſaid Bill, and deſire his Concurrence thereto.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait upon the Governor with the Bill for ſtriking the Sum of *Thirty Thouſand Pounds* in Bills of Credit, and for granting *Ten Thouſand Pounds* thereof to the King's Uſe, *&c.* report, that they had delivered the Bill according to Order; and that the Governor was pleaſed to ſay, he would take the ſame into his Conſideration, and give it all the Diſpatch he poſſibly could.

The Meſſages from the Governor of the Fourth of *April*, and Seventh Inſtant, together with the Letters from Governor *Shirley*, and Governor *De Lancey*, therein referred to, being ſeverally read;

Ordered, That *Evan Morgan*, *Joſeph Fox*, *William Callender*, *Joſeph Hamton*, *George Aſhbridge*, *Peter Worral*, *David M'Connaughy*, *John Armſtrong*, *Moſes Starr* and *William Parſons* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſages, and report the ſame to the Houſe.

A Petition from *Robert Sitlinton*, now confined in the City Goal, was preſented to the Houſe and read, ſetting forth, that the Petitioner having met with Loſſes in Trade, and other Misfortunes, was rendered unable to pay his Debts, and was therefore thrown into the ſaid Goal, where he has been detained upwards of fourteen Months, without the leaſt legal Allowance having been made for his Support; that the Petitioner always was, and ſtill is, ready to give up all his Effects to his Creditors; but they refuſing to accept of the ſame, he is obliged to continue there, though in Want of the Neceſſaries of Life, owing, as he humbly apprehends, to ſome Deficiency in the Inſolvent Act of this Province: The Petitioner therefore prays, that this Houſe would grant him ſuch Relief in the Premiſes as his unhappy Circumſtances may require.

Ordered, That the ſaid Petition be referred to the Committee appointed to enquire into the Facts contained in the Petition of *Benjamin Bagnall*, junior; and that the ſaid Committee do report thereon to the Houſe, as ſoon as they ſhall have made the neceſſary Enquiries.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 11. A Bill entituled, *An Act for ſupplying the* Weſtern Indians, *Friends and Allies of* Great-Britain, *with Goods at more eaſy Rates, ſupporting an Agent or Agents among them, and preventing Abuſes in the* Indian *Trade*, was brought in by the Committee appointed for that Purpoſe, and read the firſt time, and ordered a ſecond Reading.

A Petition from ſundry Inhabitants of the County of *Lancaſter*, ſetting forth the great Neceſſity of a farther Addition to the Paper Currency of this Province, and praying that this Houſe would once more endeavour to get a Bill paſſed by the Governor for that Purpoſe, as the future Welfare of the Country, in their Opinion, depends much upon it; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Sundry Letters from *Richard Patridge* and *Robert Charles*, Eſquires, were laid before the Houſe, and read.

A Bill for aſcertaining the Fineneſs of wrought Gold and Silver, and preventing Frauds and Abuſes in Manufactures made thereof, was read the firſt time, and ordered a ſecond Reading.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The

1754. *May* 13.

The House met pursuant to their Adjournment.

The Committee appointed to prepare a Draught of an Answer to the Governor's Messages, relating to the intended Treaty at *Albany*, reported the same to the House, and it was read, considered, and referred to farther Consideration To-morrow Morning.

Adjournment *May* 14.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Draught of the Message to the Governor was again read, and considered, and referred to further Consideration.

The Governor, by his Secretary, sent down the Bill for striking the Sum of *Thirty Thousand Pounds* in Bills of Credit, and for granting *Ten Thousand Pounds* thereof to the King's Use, *&c.* with sundry Amendments proposed by him to the said Bill; which being read, some thereof were agreed to, and in others the House adhered to the Bill.

Ordered, That *David M'Connaughy* and *John Armstrong* wait upon the Governor, and deliver the said Bill, with a Note of such of his proposed Amendments as are agreed to by the House, and acquaint the Governor, that the House desire he would be pleased to pass the Bill as it now stands.

Adjournment *Post Meridiem*

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with the Bill for striking *Thirty Thousand Pounds*, &c. report, that they had delivered the same according to Order, and that the Governor was pleased to say, he would take the same into Consideration, and return an Answer to the House as soon as possible.

The Message to the Governor, in Answer to his several Messages relating to the Treaty to be held at *Albany*, was again read, and considered, and after a considerable Debate thereupon,

Resolved, That the same be transcribed as it now stands, in order to be sent up to the Governor.

Adjournment *May* 15.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor sent down, by the Secretary, the Bill for striking the Sum of *Thirty Thousand Pounds* in Bills of Credit, and for granting *Ten Thousand Pounds* thereof to the King's Use, *&c.* with a written Message, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'CONSIDERING the Royal Instruction laid before the Assembly the last Year, 'it must be apparent that I have, merely from a Desire to oblige you, consented to 'raise the Money intended for his Majesty's Use in the Manner by you proposed. And 'have prolonged the Currency of the Bills of Credit, to be issued in Virtue of the Bill 'now under Consideration, as far as I can think consistent with my own Safety.

'And as the Fund to be established upon the Foot of my proposed Amendment will 'be more than sufficient to repay the Sum granted by the Bill, I can see no Reason for 'extending the Act of Excise longer than four Years beyond the Date of its present 'Limitation; or for burthening the People unnecessarily with a Tax that possibly may 'not be wanted; and therefore find no Cause to recede from that Amendment.

'And as for the first, I am of Opinion it is so indispensibly necessary, that unless 'some such Provision be made, the whole Intent of the Grant to his Majesty may be 'defeated. But if, on further Consideration, the Method by me proposed shall not be 'approved by you, it will be very agreeable to me that Commissioners be named in the 'Bill, to act conjunctly with the Commander in Chief for the Time being, in disposing 'of the Money.

May 15, 1754. *JAMES HAMILTON.*"

The Secretary also laid before the House, two Accounts of *Thomas Jervis*, for his Trouble and Expences in going twice Express from this Government to *Virginia*; also one other Account of the said *Jervis* for the Keeping of *Andrew Montour's* Horses during his Stay in Town.

The Governor's Message of this Morning was again read, and after some Time spent in Consideration thereof, the Question was put, whether the Amendment proposed by the Governor to the Bill for striking *Thirty Thousand Pounds*, &c. in relation to the Term of Years therein mentioned for the Extension of the Excise Act, ought to be accepted by this House? *Past in the Negative unanimously.*

Ordered, That *Evan Morgan*, *Joseph Stretch*, *Benjamin Franklin*, *William Smith*, *Peter Dicks*, *Calvin Cooper*, *John Wright*, *Joseph Armstrong*, *Moses Starr* and *William Parsons* be a Committee to prepare a Draught of an Answer to the Governor's said Message, and report the same to the House this Afternoon.

Adjournment *Post Meridiem*

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message of this Morning, reported the same to the House, and being twice read, it was approved, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned for Half an Hour.

The House met, *&c.*

The

1754. *May* 15. The Meſſage to the Governor being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor.

THE Houſe are not inclined to enter into any Diſpute with the Governor on the Subject of his propoſed Amendments to the Money-Bill, as the Repreſentatives of the People have an undoubted Right to judge, and determine, not only of the Sum to be raiſed for the Uſe of the Crown, but of the Manner of raiſing it.

The Governor, in his Meſſage of the Nineteenth of *February*, was pleaſed to tell us, "That if the Houſe ſhould be of Opinion that there will be a Neceſſity to ſtrike a farther "Sum in Bills of Credit, to defray the Charges of raiſing Supplies for his Majeſty's "Service in this Time of imminent Danger, and would create a proper Fund or Funds "for ſinking the ſame in a few Years, he would concur with us in paſſing a Law for "that Purpoſe, thinking himſelf ſufficiently warranted ſo to do in Caſes of real Emer-"gency."

On this Aſſurance the Houſe have prepared a Bill, and preſented it to the Governor, to ſtrike the Sum of *Ten Thouſand Pounds*, to give the ſame to the King's Uſe, and to ſink it by an Extenſion of the Exciſe Act for a farther Term of ten Years. The Governor will be pleaſed to conſider, that his Predeceſſor, to whom the mentioned Inſtruction was given, did afterwards paſs an Act of the ſame Kind, extending the Exciſe Act ten Years (now near expired) for a Grant of *Five Thouſand Pounds* only; and we never heard that he incurred the Royal Diſpleaſure for ſo doing. As the Sum we grant is double, we had no Expectation that our propoſing the ſame Term would have been deemed extravagant. The Governor thinks four Years ſufficient; but as the Repreſentatives are beſt acquainted with the Circumſtances of the People, and muſt themſelves, as a Part of the People, bear a Share of all Burthens laid upon them, it ſeems not reaſonable to ſuppoſe they will lay ſuch Burthens unneceſſarily. They now offer *Ten Thouſand Pounds* to the Crown, and propoſe a Manner of raiſing it, that they judge moſt eaſy and convenient for the People they repreſent: And if the Governor thinks fit to refuſe it, meerly from an Opinion that a ſhorter Term for ſinking the Bills would be more eaſy for the People, we cannot but ſuppoſe, that ſince the Meſſages in which he ſo warmly recommended this Affair to us, he has, on farther Advices, or better Conſideration, changed his Sentiments of the Importance of the preſent Occaſion for Supplies, and doth not now think the Danger ſo imminent, or the Emergency ſo great or ſo real, as he then apprehended it to be.

We therefore beg Leave to acquaint the Governor, that if this Amendment regarding the Term is inſiſted on, it is needleſs to conſider the other relating to Commiſſioners, for the Bill cannot paſs this Houſe."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Evan Morgan* and *Joſeph Stretch* wait upon the Governor, and deliver the ſame, with the Bill for ſtriking *Thirty Thouſand Pounds* in Bills of Credit, and for granting *Ten Thouſand Pounds* thereof to the King's Uſe, *&c.* and acquaint him, that this being an inconvenient Seaſon of the Year for the Members to be from their reſpective Homes, the Houſe deſire the Governor would be pleaſed to let them know his Reſult on the ſaid Bill as ſoon as poſſible.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 16. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would take it into Conſideration, and return an Anſwer as ſoon as he conveniently could,

The three Accounts of *Thomas Jervis*, which were Yeſterday Morning laid before the Houſe by the Secretary, were read, and referred to the Committee of Accounts.

An Order was drawn on the Truſtees of the General Loan-Office, for the Sum of *Five Hundred Pounds* (voted by this Houſe at their laſt Sitting, to be given as a Preſent to the *Indians* of the *Six Nations*, at the Treaty to be held at *Albany* on the Fourteenth of *June* next) made payable to the Speaker, and ſigned by the Clerk, by Order of the Houſe.

Reſolved, That the Commiſſioners, appointed by the Governor to deliver the ſaid Preſent, have Power to draw upon the Treaſurer of this Province for ſuch Sums of Money as ſhall be ſufficient to defray their neceſſary Expences to, at, and from *Albany*, and that the ſaid Treaſurer accept and pay all ſuch Orders on Demand.

Ordered, That the Clerk do furniſh the Treaſurer with a Copy of the foregoing Reſolve.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe being informed that there were ſome *French* Deſerters from *Canada*, now in Town, in a diſtreſſed Condition, and in Want of the Neceſſaries of Life;

Reſolved, That the Sum of *Ten Pounds* be paid by the Truſtees of the Loan-Office into

into the Hands of *Anthony Benezet*, to be by him laid out for their Relief in such Manner as he shall think most suitable, until they can find Employment at their respective Callings. 1754. *May* 16.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *May* 17.

The House met, and adjourned to Three o' Clock, *P. M.* Adjournment *Post Meridiem*

The Governor, by the Secretary, sent down the Bill for striking the Sum of *Thirty Thousand Pounds*, &c. with a Message in Writing, which was read, and follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'AS I am not less unwilling than yourselves to enter into Disputes of any Kind, I could have been well pleased to have been freed from the Necessity of animadverting upon the Contents of your Message on the Subject of the Bill for granting Money to the King's Use; but as that Message appears to contain a Position derogatory to the Rights of Government, I cannot, consistent with my own Judgment, and the Trust reposed in me, suffer it to pass without some Observation.

'You are pleased to say, that "the Representatives of the People have an undoubted "Right to judge and determine, not only of the Sum to be raised for the Use of the "Crown, but of the Manner of raising it." This, Gentlemen, is a Privilege which I neither did or ever shall deny to be inherent in you as an Assembly, while it is only understood to imply that no Money can be levied on the People without your Consent. But if you would infer from it, that I have no Right to exercise my Judgment, with respect to Money Bills, farther than either to approve or reject them as they are offered to me, I must beg Leave to differ from you in Opinion, both from the Reason of the Thing, and the Practice of my Predecessors upon several Occasions.

'The Governors of this Province are invested with one Half of the Legislative Powers; and being equally concerned, in Duty, with the Assembly, to consult the Ease, Freedom and Welfare of the People committed to their Care, must of Course be supposed to have a Right to interfere and rectify any Mistakes they apprehend likely to be committed by the other Branch of the Legislature, as well in regard to the Laying of Taxes, as to Matters of any other Kind, unless it can be proved they have renounced their Right thereto by some public Act, which I do not conceive to have been the Case here: For to what Purpose is a Governor appointed and invested with a Share in the Legislative Authority, if he hath no discretionary Power to object to what he thinks amiss in the Proceedings of an Assembly, and is only to be made use of as an Instrument to ratify their Transactions, though ever so inconsistent with his own Judgment, and the Good of the People?

'You must be sensible, Gentlemen, that I have neither objected to the Sum granted for the Use of the Crown, nor to the Manner of raising it as proposed by the Bill under Consideration; though I could heartily have wished that the Sum had been larger, and that it had been given more seasonably, as well as that some less exceptionable Method had been fallen on for raising it, than by compelling me do depart from the Letter of his Majesty's Instruction; which nothing less than my Concern for the King's Service, and the Preservation of the People under my Government, in this Time of imminent Danger, could have induced me to comply with: On which Accounts, I hope his Majesty, upon a fair and candid Representation of the Case, will most graciously be pleased to pardon me.

'My principal Objection, you well know, is only against the Extension of the Fund, whereby the Money is proposed to be repaid, to an unnecessary Length, by which a Tax is to be laid and continued upon the People, without the least apparent Necessity. Can you suppose, if there should be any future Occasion, that a Governor will refuse his Assent to a Bill for levying Money for the general Utility of the Province? Or have you, in the present Case, at all intimated to me any Services for which it is now wanted?

'It is true, you have been pleased to make a Grant to his Majesty of *Ten Thousand Pounds*, which, as it was the most that could be obtained, I am in Hopes will be graciously accepted by him, as a Mark of your Duty; and in Compliance to my Message of the Nineteenth of *February*, I have consented to establish a Fund, by which the same will be repaid in the easiest Manner at the End of Six Years, and leave a Surplus of several *Thousand Pounds* in your Hands, to be disposed of as you think fit: But I am sorry to find you are not satisfied with this, and that for the *Ten Thousand Pounds* now granted to his Majesty's Use, you are desirous of obtaining more than three times that Sum in Return, and urge, as a Precedent for my Behaviour, what was done by my Predecessor on a like Occasion.

'I have no Desire, Gentlemen, to detract from the Merit of your late Governor, of which I allow him to have had a great deal: He might possibly have Reasons to influence his Conduct, to which I am hitherto a Stranger; yet if one may judge from

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'the Circumſtances of his not having communicated them to thoſe who, at that Time, 'had the greateſt Share of his Confidence, and of his having never tranſmitted that Act 'for the Royal Approbation, I am inclined to think they were ſuch as he himſelf was 'not very well pleaſed with. For my own Part, as I never made the Actions of another 'the Rule of my Conduct, farther then I thought them founded in Reaſon, and as at 'preſent I ſee none for altering my Opinion with regard to the propoſed Amendment, I 'ſhall not recede from it, but upon Condition that you enlarge the Sum given for his 'Majeſty's Uſe, in which Caſe I will agree to extend the Act in ſuch Manner as to ſink 'it in the ſame Proportions.

'But it is poſſible, Gentlemen, that more may be concealed under this Solicitude 'for a long Extenſion of the Exciſe than you have thought proper to reveal, otherwiſe 'I cannot account for your deſiring to extend it ſo much beyond the uſual Term, which 'in this Province never exceeded Five Years, till the late Governor thought fit to grant 'it for Ten, for no good Reaſon I have ever heard given, or believe poſſible to be given.

'It is well known, that by the Laws now in Force, the Public Money is ſolely in 'the Diſpoſal of the Aſſembly, without the Participation of the Governor; nevertheleſs, 'while theſe Acts, by which Money was raiſed, were of ſhort Duration, the Governor 'had now and then an Opportunity of obliging the Aſſembly in a very eſſential Man-'ner by a Renewal of thoſe Acts, and thereby of making himſelf acceptable to them; 'but to extend them to ſuch an unreaſonable Length of Time as you now deſire, might 'be to render him in a great Meaſure unneceſſary to them during the Continuance of 'thoſe Acts, but upon Terms very diſagreeable to himſelf, as well as injurious to his 'Conſtituents: To this Condition therefore I will not be the Means of reducing any 'Succeſſor of mine; and this Circumſtance is of no ſmall additional Weight with me 'to adhere to my Amendment.

'You will pleaſe to obſerve, Gentlemen, that the Queſtion betwixt you and me is 'not which of us is beſt acquainted with the Circumſtances of the People, but whether 'it be reaſonable to burden them with a Tax for a long Term of Time without any ap-'parent Neceſſity. If any ſuch had occurred to you, I cannot but think you would 'have made mention of it in your Meſſage; but as you have not been pleaſed to point it 'out to me, I muſt of Courſe conclude none ſuch has appeared to you.

'You are exceedingly miſtaken, Gentlemen, if you really do ſuppoſe me either to 'have changed my Sentiments with reſpect to *the Importance of the preſent Occaſion for* '*Supplies*, or that I am leſs apprehenſive of the Dangers to which we are at preſent ex-'poſed from the Invaſion of a Foreign Power, than when, by my ſeveral Meſſages, I 'repreſented them to you, and called upon you for ſuch Supplies as might enable me 'to reſiſt the Invaders, and repel Force by Force. On the contrary, I am fully ſenſible 'that the Danger is become more imminent, from the certain Account I have received 'of the Hoſtilities committed by them, and of their having made themſelves Maſters of 'a Fortreſs, which was building, by Order of the Governor of *Virginia*, on his Ma-'jeſty's Lands, and of their having driven away the *Engliſh* Garriſon. Of this you muſt 'likewiſe be ſenſible from the Accounts I communicated to you, if you do not wilfully 'oppoſe the Conviction of your own Senſes, and ſhut your Eyes to the great Dangers 'that threaten the Country of which you are the Repreſentatives, and which, by every 'Tie, both human and divine, you are bound to cheriſh and protect; to which End I 'once more call upon you, purſuant to his Majeſty's Orders, for ſuch Supplies as the 'preſent Emergency of Affairs requires.

'Upon the whole, Gentlemen, I have already gone further in my Condeſcenſions to 'pleaſe you, than I am warranted to do by the King's Inſtruction, unleſs you will make 'an Addition to the Sum mentioned in the Bill; and have, at my own Riſk, ex-'tended the Currency of the Money to be iſſued on this Occaſion, for a Year longer 'than the utmoſt Term allowed to the Eaſtern Governments by the late Act of Parlia-'ment.

'I well know the State of your public Funds, and that the Loan-Office itſelf, were 'the Money duly collected, is able to furniſh a much larger Sum than you have thought 'fit to grant to his Majeſty upon this important Occaſion, independent of the Intereſt 'hereafter to accrue; which, together with the Exciſe, make up a Revenue of more 'than *Six Thouſand Pounds* a Year. This Money belongs to the People, and, had you 'thought fit, might have been employed for the Service recommended to you, without 'laying any additional Tax upon them before it became neceſſary. I have nevertheleſs 'conſented to gratify you in extending the Exciſe for ſuch Time, as is more than ſuf-'ficient to repay the Sum granted to his Majeſty, without breaking in upon either of 'your preſent Funds, or the outſtanding Intereſt of the Loan-Office, which I cannot 'eſtimate, together with the broken Intereſt, at leſs than *Twelve Thouſand Pounds*. If 'then, conſidering the favourable State of your Finances, you ſhall decline to do what 'his Majeſty ſo juſtly expects from you, merely on Account of my refuſing wholly to 'diſregard his Majeſty's Inſtruction, which would juſtly ſubject me to his higheſt Diſ-

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‘ pleasure, and to join with you in laying a Tax upon the People without its appearing ‘ to me to be in the least necessary; I think I may more justly impute to you a wanton ‘ Disregard of his Majesty's Commands, and of the Security and Protection of your ‘ Constituents, than you can insinuate of me a Lukewarmness, with Regard to his Ma- ‘ jesty's Service, of which I have the greatest Detestation, and from which I hoped my ‘ Conduct through this whole Affair might have exempted me.

‘ Let me therefore, Gentlemen, recommend to your serious Attention a Review of ‘ your Conduct upon the present Occasion, and if you shall find that you have been too ‘ precipitate in the Resolution contained in your Message, let me intreat you to rectify ‘ it before it be too late; for, as I must be obliged soon to lay this whole Transaction ‘ before his Majesty, it would give me the greatest Pleasure that both you and I might ‘ receive his gracious Approbation of our Services. But if, contrary to my Hopes, you ‘ should still persist in refusing to accept of my Amendment, and the Bill should, by ‘ that Means, be lost, I cannot but apprehend some unhappy Consequences to the Pro- ‘ vince from your extraordinary Behaviour.

May 17, 1754. *JAMES HAMILTON.*”

And the foregoing Message being again read, and considered, was referred to farther Consideration To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Message of Yesterday being again read, and considered; *May* 18.

Resolved, That the raising of Money for Support of Government and other public Uses by an Excise on Spirituous Liquors hath been practised in this Province, with very little Intermission, for more than thirty Years past, and hath not been found, *communibus annis*, to produce more Money than was necessary for those Uses.

Resolved, That the raising Money by such Excise has by Experience been found less burthensome to the People, than the Method of Poll and Pound Rates; and hence the Load of public Expence hath been more chearfully borne, Government more liberally supported, those who serve the Public better and more punctually paid, and greater Sums given from Time to Time to the King's Use, than could otherwise have well been raised.

Resolved, That if the Excise Act be extended but Four Years, and the Sum of *Ten Thousand Pounds* is to be sunk thereby in that Term, yearly Provincial Taxes by Poll and Pound Rates (always more grievous to the People) must probably in a short Time become necessary to defray the usual and contingent Expences of the Government.

Resolved, That if there really were, which is very uncertain, so great a Sum outstanding due to the Public, as, if collected, would be in the Disposition of the House, and sufficient to answer the present Emergency; yet, to inforce the Collection suddenly, by seizing and selling the Estates of the delinquent Borrowers, in this Time of Scarcity of Money, when so many Plantations being offered at once to Sale, could not probably find a sufficient Number of good Purchasers, and must consequently sell for much less than their real Value, would be cruel, oppressive and ruinous to the People.

Resolved, That the Right of Judging and Determining, not only of the Sum necessary to be raised for any public Service, but of the Time and Manner of raising it, and Term for paying it, is solely in the Representatives of the People; and that the Governors of this Province have not, nor ever had, nor can have, any Right to interfere therein, under Pretence of rectifying Mistakes, easing the People, or any other Pretence whatever.

Resolved, That a just, upright and prudent Administration of Government will always be the best and most effectual Means of obtaining and securing the Affections of the People; and that it is neither necessary nor expedient to deny the present Assembly the Exercise of their just Rights, that a future Governor may have an Opportunity of obliging a future Assembly by permitting it.

Resolved, That an Act of Parliament made expresly to remedy Disorders in the *Eastern* Governments, and in which this Province is neither named, nor intended, cannot by any Construction be supposed binding on the Governors or Assemblies of *Pennsylvania*.

Resolved, That to refuse a Grant of *Ten Thousand Pounds* to the King's Use at this critical Juncture, when the Service of the Crown, and the Welfare, present and future, of all the *British* Colonies, seem to the Governor so eminently to demand Supplies, merely from an Opinion in the Governor, that he can judge better than the People's Representatives what is most for their Ease, or that a future Governor may have an Opportunity of making himself acceptable, appears to this House to be sacrificing too much, to Considerations of uncertain and small Moment.

And the Governor, in his Message to this House of the First of *March* last, fully declaring how far, in his Opinion, the late Governor was, or could be bound by the Royal Instruction, directed to that Gentlemen in 1740 (certainly not more binding on himself) being pleased to say, “ That in the Year 1746 the late Go- “ vernor, by his Majesty's Order, called upon the Assembly for a sufficient Quan-

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" tity of Proviſions for the Subſiſtance of the Troops to be raiſed here for the Re-
" duction of *Canada*;——that [*after ſome Meſſages relating to the Royal Inſtruction*
" *aforeſaid*] they proceeded to paſs a Bill for giving *Five Thouſand Pounds* for the
" Uſe of the King,——to be ſunk by a Tax in Ten Years, which Bill was after-
" wards enacted into a Law:——That he ſhould be glad to know upon this State
" of the Fact, what are the Proofs that the late Governor agreed that the King's
" Inſtruction was not binding upon him, and that he acted in direct Oppoſition to
" it, ſince the very contrary was evident [*although*] he did, againſt the ſtrict
" Letter of the Inſtruction, give his Aſſent to a Bill for ſtriking *Five Thouſand*
" *Pounds*, to replace what had been given to the King's Uſe: — That it muſt be
" obvious to every one, that the true and genuine Intention of that Inſtruction
" could relate ONLY to Emiſſions on COMMON and ordinary Occaſions, by Means
" whereof the Evils and Inconveniences ſpecified in the Body of the Inſtruction
" had ariſen; and to prevent which for the future, appears clearly to have been the
" SOLE End and Purpoſe of the Inſtruction:—That if again, on the other Hand, it
" be conſidered, that the Sum emitted in this Province, by Virtue of the Act of
" 1746, was VERY SMALL, and occaſioned by a very real Emergency:——That
" the ſame was appropriated ſolely to his Majeſty's Uſe; and that the whole of it
" was to be ſunk in a SHORT Space of Time by Taxes [i. e. by the Exciſe, ex-
" tended for Ten Years] and WITHOUT THERE BEING THE LEAST PROBA-
" BILITY OF ITS PRODUCING ANY OF THE INCONVENIENCES COMPLAINED
" OF; we muſt neceſſarily allow, that the late Governor (however he might diſre-
" gard the ſtrict Letter) never departed from the Spirit and Intention of the In-
" ſtruction; and therefore cannot properly be charged with having acted in direct
" Oppoſition to it: For it would be an Abſurdity too glaring to ſuppoſe that any
" Government would voluntarily tie up the Hands of its Subjects from ſerving it,
" by ſuch Means as they were able, in Caſes of great Emergency; and that this
" could never have been any Part of his Majeſty's Intention, or that of the Par-
" liament, in addreſſing him, was further evident from the late Act reſpecting the
" Four *Eaſtern* Governments; who, although prohibited on common and ordinary
" Occaſions, yet, in Caſes of real Emergency, are permitted to iſſue Bills of Credit,
" on Condition that ſufficient Funds be provided for ſinking the ſame in a SHORT
" Space of Time; WHICH WAS EXACTLY THE CASE WITH RESPECT TO
" THE SUM EMITTED BY THE GOVERNOR AND ASSEMBLY OF THIS PRO-
" VINCE:——That hoping he had inconteſtably proved, that the true and real In-
" tention of the Royal Inſtruction could have been no other than to guard againſt
" the Abuſes enumerated in the Body of it; and the Act for granting *Five Thou-*
" *ſand Pounds* to the King's Uſe, paſſed by the late Governor, in 1746, being of a
" SINGULAR and QUITE DIFFERENT NATURE from Acts paſſed upon ordinary
" Occaſions, could not therefore be comprehended within the Meaning of the ſaid
" Inſtruction:"——*And the Governor proceeding to aſk*, " Whether the Diſtinctions
" between an Act for emitting a large Sum of Money on a COMMON and ordinary
" Occaſion, the Intereſt of which the Country is to reap the whole Benefit of, to
" be current for a long Term of Time, without Diminution, and an Act DIRECTLY
" THE REVERSE of this in ALL RESPECTS, did never occur to them?——And
" if theſe Diſtinctions did occur to them,——with what Degree of Candour they
" could affect to conſider them as one and the ſame Caſe, and thence take Occaſion
" to charge him with having leſs Inclination to oblige the People than his Prede-
" ceſſor?" *And then being pleaſed to enquire, Whether the Houſe did* " ever offer
" him a Bill of any Thing like the Tenor of that of 1746, that he refuſed his Aſ-
" ſent to?" *Which, as he was* " perſuaded they would not ſay it, How was it poſ-
" ſible they ſhould know, that, upon a like Occaſion, he ſhould be leſs willing than
" his Predeceſſors to oblige them?"

Reſolved, That we have now offered the Governor a Bill for granting *Ten Thouſand Pounds* to the King's Uſe, to be ſunk by extending the Exciſe for Ten Years (a Bill of the like Tenor of that of 1746, for granting the Sum of *Five Thouſand Pounds* to the King's Uſe, to be ſunk by extending the Exciſe for Ten Years) to which he has been pleaſed to refuſe his Aſſent.

Reſolved, That as the Governor acknowledged the Term of Ten Years for extending the Exciſe to ſink the *Five Thouſand Pounds*, was " a ſhort Space of Time," and that " there was not the leaſt Probability of that Act's producing any of the Inconveniences " complained of:"——The ſame Term of Ten Years for extending the Exciſe to ſink *Ten Thouſand Pounds*, muſt, in Conſequence, be allowed a " ſhort Space of Time;" and the Bill he now refuſes being of the ſame Tenor, there cannot be " the leaſt Probability " of its producing the Inconveniences complained of; the preventing of which for the " future appears clearly [to the Governor] to have been the ſole End and Purpoſe of the " Royal Inſtruction."

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Resolved, That the Governor having, as he hoped, "incontestably proved, that the "true and real Intention of the Royal Instruction could have been no other than to "guard against the Abuses enumerated in the Body of it; and the Act for granting *Five* "*Thousand Pounds* for the King's Use, passed by the late Governor, in 1746, being of "a SINGULAR and QUITE DIFFERENT NATURE from Acts passed upon ordinary Oc-"casions, could not be comprehended within the Meaning of the said Instruction." The Bill now offered to the Governor for granting *Ten Thousand Pounds* for the King's Use, being also of a SINGULAR and QUITE DIFFERENT NATURE from Acts passed upon ordinary Occasions, and of the same Tenor with the Act passed in 1746, cannot be comprehended, by the Governor (unless he has very lately altered his Opinion) to be within the Meaning of the Royal Instruction; and therefore,

Resolved, That it is our Opinion, that if the Governor is restricted by any Instruction from passing this Bill, it must be by some Instruction which he has never been pleased to lay before this House,——and not the Royal Instruction, the Operation of which, against Bills of this Tenor, he hath so effectually invalidated.

Resolved, That this House will this Day adjourn to the Nineteenth Day of the Month called *August* next.

The Answer to the Governor's Messages, relating to the intended Treaty to be held at *Albany*, being transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

An Answer from the Assembly to the Governor's Messages.

WE have deliberately considered the Governor's several Messages, together with the Letters he has been pleased to lay before us, relating to the ensuing Treaty, to be held at *Albany*, in which we thankfully observe the Care he has taken "to obtain "the best Intelligence he was able of what was proposed to be transacted at that Treaty "for the general Benefit and Advantage of these Colonies, and of every other Thing "relating thereto, which he conceived necessary for our Information." And as he has been pleased to request our Sentiments on the Instructions to be given the Gentlemen Commissioners on the Part of this Province, "to which he will pay the greatest Re-"gard," we can do no less than return him our grateful Acknowledgments for his Condescension and Justice; and would chearfully comply therewith at this Time; but when we consider that no Propositions for an Union of the Colonies, in *Indian* Affairs, can effectually answer the good Purposes, or be binding, farther than they are confirmed by Laws, enacted under the several Governments comprized in that Union; that we know not what Restrictions the Governor may lie under in passing our Acts; and that we have very little Reason to depend upon any Assistance in our *Indian* Expences, where, by a former Assembly, it has been respectfully addressed for, and where we think in Justice we have a Right to expect it; we are, under these Circumstances, at a Loss to advise him on the important Articles he has been pleased to propose to our Consideration: Nevertheless, as we have already declared our Satisfaction in the Gentlemen the Governor has been pleased to name for this Commission, so we confide in their Abilities and Prudence to answer the Ends proposed in the Letter from the Lords of Trade, of the Eighteenth of *September* last, by renewing at this Interview the Covenant-Chain with the *Six Nations*, and by frustrating, as far as lies in their Power, any Attempts which have been made to withdraw them from the *British* Interest: And for this Purpose, in Compliance with the said Letter from the Lords of Trade, we have now granted a Present to be made to those *Indians* on our Behalf; however inconvenient we may judge it to hold our Treaties at *Albany* on other Occasions."

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Joseph Fox* and *Joshua Morris* wait upon the Governor with the said Message, and acquaint him, that the House seeing no Prospect of being farther useful to the Public in the present Sitting, and their private Affairs, in this busy Season of the Year, requiring their Attendance at their respective Homes, are inclined to adjourn this Day to the Nineteenth Day of the Month called *August* next.

The Committee of Accounts reported on *Thomas Jervis's* Accounts, for his Trouble and Expences in going twice Express to *Virginia*, that it was their Opinion he ought to be allowed the Sum of *Thirty-three Pounds Five Shillings* and *One Penny*, in Discharge thereof; and that his other Account for keeping *Andrew Montour's* Horses, should be referred to the next Sitting of Assembly. The House agreeing to the Report of the Committee, an Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the said Sum of *Thirty-three Pounds Five Shillings* and *One Penny*.

Ordered, That the Trustees of the General Loan-Office do use their best Endeavours to collect, before the next Settlement of Accounts, as much of the outstanding Money due to the Province as they conveniently can.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return and report, that they had delivered the same according to Order, and that the

1754. *May* 18. Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment; but deſired that the Gentlemen would acquaint the Houſe, " that as ſome Parts of the " Minutes of Aſſembly of this Seſſion may be neceſſary to be mentioned in the Repre- " ſentation the Governor finds himſelf obliged to make to his Majeſty, in Anſwer to " his Royal Order relating to the Invaſion of his Dominions by the *French*, and their " *Indian* Allies; he deſires the Houſe will direct a Copy thereof to be delivered to him, " or permit a Perſon, to be by him appointed, to take the ſame from their Journal as " ſoon as conveniently may be."

Ordered, That the Minutes of this Sitting of Aſſembly be forthwith printed, and that the Governor have a Copy of them delivered to him as ſoon as finiſhed.

The Governor alſo ſent down by the Members who waited upon him with the Meſſage of the Houſe, a Letter he had juſt received from *Andrew Montour*, which was read.

Adjournment. Then the Houſe adjourned to the Nineteenth Day of the Month called *Auguſt* next.

Auguſt 6. *Poſt Meridiem*. THE Repreſentatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe accordingly met.

Ordered, That *Evan Morgan* and *Joſeph Trotter* wait upon the Governor and acquaint him, that the Houſe are met, and ready to receive any Thing he may have to lay before them, and deſire he would be pleaſed to furniſh them with a Copy of the Writs by which they were ſummoned.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 7. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he ſhould be at the Council Chamber by Eleven o'Clock this Morning, when he would ſend a Meſſage to the Houſe to require their Attendance; and that the Houſe ſhould be furniſhed with a Copy of the Writs by which they were ſummoned.

A Meſſage from the Governor, by the Secretary;

S I R,

" The Governor requires the Attendance of the Houſe in the Council Chamber."

Then the Speaker, with the whole Houſe, waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor, who was pleaſed to make a Speech to this Houſe, a Copy of which he had delivered to the Speaker; and informed him, that the Papers referred to therein, ſhould be forthwith laid before the Houſe by the Secretary.

The Governors Speech was read, and follows in theſe Words, *viz.*

Mr. Speaker, and Gentlemen of the Aſſembly,

A Speech of the Governor to the Aſſembly. ' THE Importance of the ſeveral Matters I have now to lay before you, both to his ' Majeſty's Service and to the Safety and Protection of the Inhabitants of this Pro- ' vince, will, I am perſuaded, render any Apology for calling you together before the ' Time to which you ſtood adjourned, altogether unneceſſary.

' You will be pleaſed then to know, that I have lately received from the Commander ' in Chief of the Forces raiſed by *Virginia* for Defence of his Majeſty's Dominions, an ' Account of thoſe Forces having been attacked and entirely defeated by a ſuperior ' Body of *French* Troops, aſſiſted by a conſiderable Number of *Indians* under their ' Direction.

' This daring Inſult upon his Majeſty's Subjects within the undoubted Limits of his ' Dominions, in a Time of profound Peace, very clearly points out the manifold Ca- ' lamities we have Reaſon to apprehend on a Rupture between the two Crowns, from ' the Incurſions of that bold and enterprizing People, in Conjunction with barbarous ' Nations of Savages, if they be permitted to ſtrengthen themſelves ſo near to the in- ' habited Parts of theſe Provinces. One principal Motive therefore of my haſtening ' your Meeting was, that I might the ſooner have an Opportunity of recommending to ' you a chearful and vigorous Reſolution of diſlodging (with God's Aſſiſtance) from ' the Neighbourhood of our Settlements theſe Invaders of our Country; and that as little ' Time as poſſible might be loſt in making the neceſſary Preparations for that Purpoſe.

' This Meaſure therefore I now do in the moſt ſolemn Manner recommend to you; ' but as, on another Occaſion, you expreſſed a Deſire of acting in Concert with the Go- ' vernor of *Virginia*, to whom the King was pleaſed to commit the chief Direction of ' this Affair, and as I have not been informed by him, ſince this unfortunate Event, ' what his further Reſolutions are, with reſpect to the Expedition, I at preſent forbear, ' in regard to your Opinion, preſſing you to engage as Principals, until I ſhall be ac- ' quainted with his Determination upon that Head; which, in Conſequence of my ' earneſt Requeſt, may be every Day expected; and when received, ſhall immediately ' be communicated to you.

' In

1754. August 7.

'In the mean while it will be highly expedient, that, in order to save Time, you 'take into Consideration the most proper Ways and Means of raising a Supply for this 'Service; in the doing of which, I flatter myself, you will industriously avoid whatever 'may be likely to occasion any Difference in Opinion between you and me, to the De-'triment of the Common Cause, and Disappointment of his Majesty's just Expectations 'from us.

'The unhappy Issue of the late Action between us and the *French* has already begun 'to create an additional Charge to the Public, as will appear by the Papers I shall order 'to be laid before you.——By them you will be informed, that a Body of the *Six Na-*'*tions*, in our Alliance, with the *Half King*, and other considerable Men at their Head, 'have been obliged, from a Dread of the *French* Power, to remove with their Families 'from the Places of their usual Residence, and to take Refuge within our Province, 'where many others are soon expected to join them: And as they are by this Means 'deprived of the Benefit of Hunting, by which their Families were principally sup-'ported, they have acquainted me, that they expect their Brethren of *Pennsylvania* 'should provide for them, while their Men will be engaged in the War against the 'Common Enemy. And in Compliance with their Expectations, which did not ap-'pear unreasonable, I have ordered a Quantity of Provisions to be delivered to them; 'not doubting but you will very chearfully make Provision for defraying the Expence 'that has already arisen, and will hereafter arise upon the same Occasion: Since nothing 'can be more just than that, while the Men are prevented of the Means of subsisting 'their Families, by their Attachment to his Majesty's Interest, and are actually employed 'in promoting it without Pay or Reward, their Wives and Children, who are incapable 'of supporting themselves, should be maintained at the Public Expence.

'The People of *Cumberland*, and of the upper Parts of *Lancaster* County, are so ap-'prehensive of Danger at this critical Juncture, from the Nearness of the *French*, and 'Savages under their Influence, that the principal Inhabitants have, in the most earnest 'Manner, petitioned me to provide for their Protection; representing withal, that a 'great Number would be warm and active in Defence of themselves and their Country, 'were they enabled so to be, by being supplied with Arms and Ammunition, which 'many of them are unable to purchase at their own private Expence. The Substance 'of these several Petitions, which I shall likewise order to be laid before you, appears to 'me, Gentlemen, to be of the greatest Importance, and well worthy of your most se-'rious Attention. You may be assured, that nothing which depends on me shall be 'wanting towards affording them the Protection they desire; but you cannot at the 'same Time but be sensible how little it is in my Power to answer their Expectations 'without the Aid of your House. It becomes then my indispensable Duty, and I can-'not, on any Account whatever, excuse myself from pressing you to turn your Thoughts 'on the defenceless State of the Province in general, as well as of our Back Inhabitants 'in particular; and to provide such Means for the Security of the Whole, as shall be 'thought at once both reasonable and effectual to the Ends proposed; in which, as in 'every other Matter, consistent with my Honour, and the Trust reposed in me, I pro-'mise you my hearty Concurrence.

'It is with great Satisfaction, that I now communicate to you the Proceedings of the 'Commissioners at the late Treaty at *Albany*; as, on Perusal thereof, you will clearly 'perceive, that the Lands on the River *Ohio* do yet belong to the *Indians* of the *Six Na-*'*tions*, and have long since been by them put under the Protection of the Crown of '*England*.——That the Proceedings of the *French*, in erecting Forts on that River, 'and in the Countries adjacent, have never received the Countenance or Approbation 'of those Nations; but, on the contrary, are expressly declared by them to have been 'without their Privity or Consent.——That they are greatly alarmed at the rapid Progress 'of the *French*, and in severe Terms reproach us with supine Negligence, and the de-'fenceless State of our Possessions; and, in Effect, call upon us to fortify our Frontiers, 'as well for the Security of their Countries as of our own.——That, after a due and 'weighty Reflection on these several Matters, with many others of equal Importance, 'the Commissioners thought it necessary to consider of, and draw up, a Representation 'of the present State of the Colonies: And from thence, judging that no effectual Op-'position was like to be made to the destructive Measures of the *French*, but by an 'Union of them all for their mutual Defence, devised likewise a general Plan for that 'Purpose, to be offered to the Consideration of their respective Legislatures.

'And as both those Papers appear to me to contain Matters of the utmost Conse-'quence to the Welfare of the Colonies in general, and to have been digested and drawn 'up with great Clearness and Strength of Judgment, I cannot but express my Approba-'tion of them; and do therefore recommend them to you, as well worthy of your clo-'sest and most serious Attention."

The Governor, by his Secretary, sent down to the House one of the Writs by which the

1754. *Auguſt* 7. the Houſe were ſummoned, and ſundry Papers referred to in his Speech, and others, entituled as follows, *viz.*

1. *A Letter from Colonel* James Innes *to Governor* Hamilton; *dated* Wincheſter, July 12, 1754.

2. *Capitulation granted by Monſieur* De Villier, *Captain and Commander of Infantry, and Troops of His moſt Chriſtian Majeſty, to thoſe* Engliſh *Troops actually in the Fort of* Neceſſity, *which was built on the Lands of the King's Dominions,* July *the Third, at Eight o'Clock at Night,* 1754.

3. *A Letter from* Andrew Montour *to the Governor, dated* Wincheſter, July 21, 1754.

4. *A Petition from divers Inhabitants of the County of* Cumberland *to the Governor, dated* July 15, 1754.

5. *A Petition from ſundry Inhabitants of* Donnegall, *in* Lancaſter *County, to the Governor, dated* July 26, 1754.

6. *A Petition from the Inhabitants of* Paxton, Derry *and* Hanover *Townſhips, in* Lancaſter *County, to the Governor, dated* July 22, 1754.

7. *A Letter from* Ononraguite, *one of the Chiefs of the* Cagnawaga *Nation, living at the Falls of* St. Louis, *to one of the* Albany *Commiſſioners of* Indian *Affairs, dated* June 14, 1754.

8. *Proceedings of the Congreſs, held at* Albany, *by the Honourable* James De Lancey, *Eſq; Lieutenant Governor and Commander in Chief of the Province of* New-York, *and the Commiſſioners of the ſeveral Provinces, met in the ſaid City of* Albany, *the 19th of* June, 1754.

Some of the foregoing Papers were read, and the Remainder referred to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Remainder of the Papers, communicated by the Governor to the Houſe in the Morning, were read, and the Whole ordered to lie on the Table for the Peruſal of the Members.

Sundry Accounts from the Mayor of *Albany*, for Sums paid by him to the *Cagnawaga Indians*, for the Releaſement of *Alexander Magenty, Jabez Evans, David Hendricks* and *William Powell*, were read, and referred to the Committee of Accounts.

Sundry Letters from *Richard Patridge*, Agent, to the Committee of Correſpondence, were laid before the Houſe, and read, and ordered to lie on the Table for the Peruſal of the Members.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 8. The Governor's Speech was again read, and conſidered, and the farther Conſideration thereof was referred to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem A Petition from the Inhabitants of *Donnegall*, in *Lancaſter* County, was preſented to the Houſe and read, ſetting forth, that this Province is now in a diſtreſſed Condition, being invaded by a cruel and formidable Enemy, at a Time when the Inhabitants are neither provided with Arms or Ammunition, nor under any Kind of Diſcipline; the Petitioners therefore humbly pray, that this Houſe would, as being the Guardians of the People, take their preſent Circumſtances into Conſideration, and put thoſe of them who are willing to defend themſelves and Country into a proper Condition for Defence, and oblige ſuch who are principled againſt appearing in Arms to contribute towards enabling thoſe to do it who are not ſo principled, in ſuch Manner as to the Wiſdom of this Houſe ſhall ſeem moſt meet. *Ordered to lie on the Table.*

A Petition from a very conſiderable Number of the Inhabitants of the Townſhips of *Paxton, Hanover* and *Derry*, in the County of *Lancaſter*, with a Recommendation of the ſaid Petition, from the Grand Jury of the ſaid County; was preſented to the Houſe and read, ſetting forth, that the Petitioners being ſettled on and near the River *Saſquehannah*, apprehend themſelves in great Danger from the Neighbourhood of the *French* and *Indians* in their Alliance, as it is in their Power, at ſeveral Times in the Year, to tranſport themſelves, with Ammunition, and every other Neceſſary, down the ſaid River; that the late Conduct of the *French*, towards ſome of the neighbouring Provinces, makes the Petitioners dread a ſpeedy Viſit from them, as being not only as near to the *French* as the other Provinces, but far leſs capable of defending themſelves than they are, not having either Arms or Ammunition, or wherewithal to purchaſe them; that a great Number of the Inhabitants, in the Back Parts of this Province, are ready and willing to exert themſelves in the Defence of their Country, were they enabled ſo to do, although they are not of themſelves a ſufficient Number to withſtand the Enemy: The Petitioners therefore humbly pray that this Houſe would take the Premiſes into their moſt ſerious Conſideration, and do therein what the preſent Circumſtances of Affairs require.

Ordered to lie on the Table.

The Governor's Speech was again read, and conſidered, and the further Conſideration thereof referred to To-morrow Morning.

The Committee appointed to conſider the Accounts from the Mayor of *Albany*, for the

the Releaſe of *Alexander Magenty*, &c. reported, that they had examined them, and were of Opinion, that the ſeveral Sums, amounting in the Whole to *Seventy-two Pounds Five Shillings* and *One Penny Halfpenny*, ought to be allowed by this Houſe; to which the Houſe aſſented. 1754. *Auguſt* 8.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe reſumed the Conſideration of the Governor's Speech; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration. *Auguſt* 9.

A Meſſage from the Governor, by the Secretary:

SIR,

"The Governor commands me to acquaint the Houſe, that Parties of *French* Deſerters, from the Forts on the River *Ohio*, are daily arriving in this City. And as many of the Inhabitants are afraid to employ them, not knowing their Characters or Deſigns, or that there may not be really ſufficient Employ for them, they are in Danger of being reduced to extreme Want; the Few who have hitherto in a great Meaſure ſupported them, not being able, or not inclining, to do it any longer: And therefore propoſes it to the Conſideration of the Houſe, whether it might not be for the Public Service, that ſome ſmall Reward ſhould be given them, as an Encouragement for others to deſert, or ſome Conſideration offered to ſuch as would employ them on reaſonable Terms."

The Houſe taking the foregoing Meſſage into Conſideration,

Reſolved, That the Sum of *Twenty Pounds* be paid out of the Provincial Treaſury into the Hands of *Anthony Benezet*, to be by him laid out for the Relief and Maintenance of ſuch *French* Deſerters as are now in Town, or may hereafter arrive, in ſuch Manner as he ſhall judge moſt ſuitable.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe again proceeded on the Conſideration of the Governor's Speech; and, after ſome Time ſpent therein, the Queſtion was put, *Whether the Sum of* Twenty Thouſand Pounds *ſhould be now given to the King's Uſe?* *Paſt in the Negative.* *Poſt Meridiem*

YEAS.	NAYS.	NAYS.
Evan Morgan,	*Edward Warner*,	*Jonathan Ingham*,
Benjamin Franklin,	*Joſeph Trotter*,	*Thomas Cummings*,
Griffith Owen,	*Joſhua Morris*,	*Nathaniel Pennock*,
William Smith,	*Hugh Evans*,	*George Aſhbridge*,
Peter Dicks,	*Joſeph Stretch*,	*Joſeph Gibbons*,
James Wright,	*Joſeph Fox*,	*Nathaniel Grubb*,
John Wright,	*William Callender*,	*William Peters*,
David M'Connaughy,	*Mahlon Kirkbride*,	*Joſeph James*,
John Armſtrong,	*Joſeph Hamton*,	*Peter Worral*,
Joſeph Armſtrong,	*Samuel Brown*,	*Moſes Starr*.
William Parſons.	*William Hoge*,	

Then the Queſtion was put, *Whether the Sum of* Fifteen Thouſand Pounds *ſhall be given to the King's Uſe at this Time?* *Paſt in the Negative.*

YEAS.	NAYS.	NAYS.
Evan Morgan,	*Edward Warner*,	*William Hoge*,
Benjamin Franklin,	*Joſeph Trotter*,	*Jonathan Ingham*,
Griffith Owen,	*Joſhua Morris*,	*Thomas Cummings*,
William Smith,	*Hugh Evans*,	*Nathaniel Pennock*,
George Aſhbridge,	*Joſeph Stretch*,	*Joſeph Gibbons*,
Peter Dicks,	*Joſeph Fox*,	*Nathaniel Grubb*,
James Wright,	*William Callender*,	*William Peters*,
John Wright,	*Mahlon Kirkbride*,	*Joſeph James*,
David M'Connaughy,	*Joſeph Hamton*,	*Peter Worral*,
John Armſtrong,	*Samuel Brown*,	*Moſes Starr*.
Joſeph Armſtrong,		
William Parſons.		

Reſolved, That the Sum of *Ten Thouſand Pounds* be now given to the King's Uſe, to be ſunk by an Extenſion of the Exciſe Act for the farther Term of Ten Years.

Reſolved, That the Sum of *Twenty Thouſand Pounds* be now ſtruck, in Paper Bills of Credit, for exchanging the torn and ragged Bills now by Law current within this Province.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Peter Dicks*, *James Wright*, *John Wright*, *Moſes Starr* and *William Parſons* be a Committee to prepare and bring in a Bill for the Purpoſes mentioned in the foregoing Reſolves.

Reſolved, That, till the next Sitting of Aſſembly, this Houſe will, out of the Provincial Treaſury, allow ſuch reaſonable Charges as neceſſarily ariſe upon making a ſuitable Proviſion towards the Maintenance of thoſe *Indians*, in our Alliance, as have taken Refuge within this Government.

1754. *Auguſt* 9. Then the Houſe adjourned for Half an Hour.

The Houſe met, *&c.*

A Bill for ſtriking the Sum of *Thirty Thouſand Pounds* in Bills of Credit, and for granting *Ten Thouſand Pounds* thereof to the King's Uſe, and to provide a Fund for ſinking the ſame; and for applying the Remainder to the Exchange of ragged and torn Bills now current in this Province, was brought in by the Committee appointed to prepare the ſame, and read the firſt time, and ordered a ſecond Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 10. The Bill for ſtriking the Sum of *Thirty Thouſand Pounds* in Bills of Credit, and for granting *Ten Thouſand Pounds* thereof to the King's Uſe, *&c.* was read the ſecond time, and ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

Auguſt 12. The Houſe met purſuant to their Adjournment.

Poſt Meridiem The Governor, by his Secretary, ſent down to the Houſe a Copy of a Letter which he had received by Expreſs from Governor *Dinwiddie*, dated *July* 31, 1754; and alſo a Copy, in *French*, of the Capitulation of the *Virginia* Troops at Fort *Neceſſity*, which were read, and conſidered, and the Letter from Governor *Dinwiddie* was referred to farther Conſideration To-morrow Morning.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 13. The Letter from the Governor of *Virginia* to Governor *Hamilton* was again read, and conſidered; and, after ſome Time ſpent therein,

A Motion was made, that the Sum granted to the King's Uſe, in the Bill now before the Houſe, be enlarged; and, after ſome Debate thereupon, the Queſtion was put, *Whether the Sum of* Twenty Thouſand Pounds *ſhould be inſerted in the ſaid Bill, as given to the King's Uſe?* *Paſt in the Negative.*

YEAS.	YEAS.	NAYS.
Evan Morgan,	*Edward Warner,*	*Jonathan Ingham,*
Benjamin Franklin,	*Joſeph Trotter,*	*Thomas Cummings,*
Griffith Owen,	*Joſhua Morris,*	*Nathaniel Pennock,*
Derrick Hogeland,	*Hugh Evans,*	*George Aſhbridge,*
William Smith,	*Joſeph Stretch,*	*Joſeph Gibbons,*
Peter Dicks,	*Joſeph Fox,*	*Nathaniel Grubb,*
James Wright,	*William Callender,*	*William Peters,*
Calvin Cooper,	*Mahlon Kirkbride,*	*Joſeph James,*
John Wright,	*Samuel Brown,*	*Peter Worral,*
David M'Connaughy,	*William Hoge,*	*Moſes Starr.*
John Armſtrong,		
Joſeph Armſtrong,		
William Parſons.		

Reſolved, That the Sum of *Fifteen Thouſand Pounds* be inſerted in the ſaid Bill, as given to the King's Uſe.

YEAS.	YEAS.	NAYS.
Evan Morgan,	*George Aſhbridge,*	*Edward Warner,*
Hugh Evans,	*Joſeph Gibbons,*	*Joſeph Trotter,*
Joſeph Stretch,	*Peter Dicks,*	*Joſhua Morris,*
Benjamin Franklin,	*Joſeph James,*	*Joſeph Fox,*
William Callender,	*James Wright,*	*Samuel Brown,*
Mahlon Kirkbride,	*Calvin Cooper,*	*Thomas Cummings,*
William Hoge,	*John Wright,*	*William Peters,*
Griffith Owen,	*David M'Connaughy,*	*Nathaniel Grubb,*
Derrick Hogeland,	*John Armſtrong,*	*Peter Worral.*
Jonathan Ingham,	*Joſeph Armſtrong,*	
William Smith,	*Moſes Starr,*	
Nathaniel Pennock,	*William Parſons.*	

At the ſaid Sum of *Fifteen Thouſand Pounds* was inſerted in the Bill accordingly.

The Bill for ſtriking the Sum of *Thirty-five Thouſand Pounds*, in Bills of Credit, and for granting *Fifteen Thouſand Pounds* thereof to the King's Uſe, *&c.* being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Evan Morgan* and *Joſeph Stretch* wait upon the Governor with the ſaid Bill, and acquaint him, that the Houſe deſire his Concurrence thereto.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait upon the Governor with the Bill for ſtriking the Sum of *Thirty-five Thouſand Pounds* in Bills of Credit, and for granting *Fifteen Thouſand Pounds* thereof to the King's Uſe, *&c.* report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would take it into Conſideration, and give it all the Diſpatch in his Power.

Sundry

Sundry Accounts from *Richard Patridge* and *Robert Charles*, Esquires, were laid before the House, and read, and committed to the Committee of Accounts. 1754. *August* 13.

The Speaker, in Behalf of the Superintendants of the State-house, desired the Opinion of the House whether they should send the old Bell to *England* in Part Pay for the new One they had purchased (as they had a Right to do by their Agreement) or keep them both for public Use.

Resolved, That the said Superintendants do pay for the new Bell, and keep the old One for such Uses as this House may hereafter appoint.

Ordered, That *Joseph Stretch*, *Mahlon Kirkbride*, *George Ashbridge*, *Calvin Cooper*, *David M'Connaughy* and *John Armstrong* be a Committee to inspect and settle the Accounts of the Incidental Charges of the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *Robert Callender* and *Michael Teaff*, *Indian* Traders, was laid before the House and read, setting forth, that the Petitioners being at *Allegheney* about the Tenth of *May* last (the Time that the *French* came down the River *Ohio*) had there sundry Goods unsold; that the *Half King* and *Big Kettle*, two *Indian* Chiefs, requested the Petitioners, that as their Enemies the *French* were near at Hand, and the Ammunition and other Necessaries of the *Indians* were scarce, they would spare them a Part of those they had there for Sale, and charge it to their Brethren of *Pennsylvania*, and if they scrupled to pay them, they, the *Indians*, would pay; that upon these Considerations, the Petitioners did accordingly deliver to the said *Indians* sundry Goods (as particularized in an Account annexed to their Petition) to the Value of *Eighty-four Pounds*; the Petitioners therefore pray that this House would consider the Premises, and make an Allowance to them for the said Goods, as they are now deprived, by reason of the Encroachments of the *French*, of all Hopes of being paid by the *Indians*. And the Petition farther sets forth, that *Robert Callender*, one of the Petitioners, came down Express to his Honour the Governor, about two Years ago, to bring an Account of the Attack then made by the *French* and their *Indians*, on the *English* and *Indians* in the *Pict Town*, near the River *Ohio*; and had also been at a considerable Expence in sending an Express to the Governor with the News of the late Defeat of the *Virginia* Forces at Fort *Necessity*; and therefore praying that such Allowance may be made him for the said Services, as to the Wisdom of this House shall seem most proper. *August* 14. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The House met, and adjourned to Ten o'Clock To-morrow Morning. Adjournment *August* 15.

The Committee of Accounts reported, that they had examined the Accounts of the Agent, and *Robert Charles*, and were of Opinion they ought to be allowed; to which Report the House agreed.

The Trustees of the Province Island laid before the House a State of their Accounts, which were read; whereby it appeared, that there was a Balance of *Eighty-six Pounds Four Shillings* in their Hands, due to the Province.

Ordered, That *Mahlon Kirkbride* and *James Wright* wait upon the Governor, and acquaint him, that the House having near gone through the Business before them, desire to know when they may expect his Result upon the Bill now under his Consideration.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, the House should hear from him this Afternoon. *Post Meridiem*

The Governor, by the Secretary, sent down the Bill for striking *Thirty-five Thousand Pounds* in Bills of Credit, and for granting *Fifteen Thousand Pounds* thereof to the King's Use, and to provide a Fund for sinking the same; and for applying the Remainder to the Exchange of ragged and torn Bills now current in this Province, with a Paper containing sundry proposed Amendments thereto, which were read, and considered; and, after some Time spent therein;

Ordered, That *Griffith Owen* and *Joseph Armstrong* wait upon the Governor with the said Bill, and acquaint him, that the House were in Hopes this Bill could not fail to have received the Governor's Assent; but as he has objected to the inserting his Name in the Bill, for receiving or ordering the Disposal of the Money thereby granted, they have complied with his Request, and instead thereof have made it payable to the Lieutenant Governor of this Province for the Time being, in Conjunction with the other Gentlemen therein named, and request he would be pleased to pass it as it now stands, for the House cannot admit of any other Alteration in the Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Bill for striking *Thirty-five Thousand Pounds* in Bills of Credit, and for granting *Fifteen Thousand Pounds* thereof to the King's Use, *&c.* and the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would return an Answer to the House as soon as conveniently he could. *August* 16.

A Message

1754. *Auguſt* 16. A Meſſage from the Governor, by the Secretary:

SIR,

" The Governor promiſed himſelf from the Requeſt he made to the Houſe in his " Speech at the Opening of the Seſſion, that (conſidering the Importance of the Occa- " ſion) they would have fallen upon ſome Method of raiſing Money for the King's Uſe, " to which he might have had no material Objection; and could not therefore help " being extremely mortified at finding the Bill now preſented him for that Purpoſe, to " be not only formed on the ſaid Plan, but to be nearly of the ſame Tenor with that " to which he refuſed his Aſſent at their laſt Meeting. He has nevertheleſs complied " with the Proffer he then made them, and has agreed to extend the Fund they have " choſen to raiſe the Money upon, in the ſame Proportion as they have encreaſed the " Sum granted to his Majeſty. But the Houſe is peremptory, and will admit of no " Alteration in their Bill. All then that remains, after aſſuring them, that the Go- " vernor, leſt the King's Service ſhould ſuffer, has ſtrained his Powers even beyond " what he almoſt dares think conſiſtent with his Safety, is to ſubmit our reſpective Con- " duct to the Judgment of our Superiors. But he hopes this alſo may be rendered un- " neceſſary by the Arrival of the Gentleman that is to ſucced him in the Adminiſtration, " who may every Day be looked for among us; and who may poſſibly think himſelf " more at Liberty, with reſpect to the Matter in Controverſy, than the Governor can " preſume to do: In the mean while it is hoped no conſiderable Detriment may ariſe " to his Majeſty's Affairs in the ſhort Interval between this and the Time of his actual " Arrival.

" So much has already been ſaid upon this Subject on another Occaſion, that the Go- " vernor declines any farther Enlargement thereon, as well knowing, that public Di- " ſputes of this Nature frequently terminate in private Animoſities, which he is very de- " ſirous of avoiding, and therefore only expects from the Houſe that they will do him " the ſame Juſtice he is willing to do them, in ſuppoſing him to act from his Judgment, " when he tells them, that he cannot recede from his Amendments."

The Committee appointed to audit and ſettle the Public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members.

A Petition from *John Baſſonet* and *Peter White* was preſented to the Houſe and read, ſetting forth, that the Petitioners became bound with *John Hall*, late Collector of the Exciſe for the County of *Bucks*, for the Diſcharge of his Office in ſuch Manner as the Law requires; that the ſaid *Hall*, when indebted to the Province, on Account of his ſaid Office, became inſolvent; that the Provincial Treaſurer brought an Action againſt the Petitioners, and obtained a Judgment for a Sum exceeding *Eighty Pounds*; that the Coſts of Suit, and other Charges thereon, are very conſiderable; that the Petitioners can have no Relief without the Aid and Aſſiſtance of this Houſe; that their Circumſtances are ſuch, that their being obliged to diſcharge the Sum recovered againſt them will be of great Injury to their Families; they therefore humbly pray for ſuch Favour as to the Wiſdom of this Houſe ſhall ſeem meet.

The Houſe taking the ſaid Petition into Conſideration;

Ordered, That the ſame be rejected.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Petition of *Robert Callender* and *Michael Teaff* was again read, and conſidered, and referred to the Committee of Incidental Charges.

The Governor's Speech was again read, and conſidered; and, after ſome Time ſpent therein, referred to farther Conſideration.

Reſolved, That this Houſe will To-morrow adjourn to the Thirtieth Day of *September* next.

Ordered, That *Joſeph Hamton* and *Peter Worral* wait upon the Governor, and acquaint him, that the Houſe having near gone through the Buſineſs before them, propoſe to adjourn To-morrow to the Thirtieth Day of *September* next, if he hath no Objection thereto.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 17. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment.

The Part of the Governor's Speech, relating to the Plan of Union among the ſeveral *Britiſh* Colonies on this Continent, was read; and, after a conſiderable Debate whether the ſaid Plan ſhould be either recommended or referred to the Conſideration of the ſucceeding Aſſembly, the Queſtion was put, upon Motion made, that the ſaid Plan of Union be referred to the Conſideration of the next ſucceeding Aſſembly?

Paſt in the Negative?

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. An Account of the Receipts and Diſburſements of the Commiſſioners of this Province, for

for the late Treaty at *Albany*, was laid before the House, and read, by which it appeared, that there is a Balance of *Twenty-seven Pounds* and *Six-pence* in their Hands, due to the Province. 1754. *August* 17.

Ordered, That the said Balance be paid into the Hands of the Trustees of the Loan-Office, to be accounted for by them hereafter.

The Committee of Incidental Charges, to whom the Petition and Accounts of *Robert Callender* and *Michael Teaff* were referred, reported, that they were of Opinion, that the Articles therein contained, were not properly and sufficiently certified to this House, so as to entitle the Petitioners to the Allowances prayed for in their Petition;—to which the House agreed.

Ordered, That the Minutes of this Sitting be printed as soon as conveniently may be.

Ordered, That all the Bills and Petitions, now remaining undetermined before the House, be referred to the Consideration of the succeeding Assembly.

The Report of the Committee of Accounts was approved of, and allowed by the House, and is as follows, *viz.*

WE, *the* COMMITTEE *appointed by the Assembly of the Province of* Pennsylvania, *to audit and settle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts; to sink and destroy the Bills of Credit, received in Exchange, pursuant to the Paper-Money Acts; and to count all the Money, and report what Sum we should actually find in the Trustees Hands*, REPORT,

Report of the Committee appointed to settle the Accounts of the General Loan Office, &c.

THAT, on the Fifteenth of the Seventh Month, we counted the Money in the Hands of the Trustees of the Loan-Office, and found the Sum of ——— £ 5,784 11 6

That, upon a strict Examination of all the Mortgage-Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Paper Bills, and now remaining in the Loan-Office undischarged,

We find there are principal Sums or Quotas thereon to become due (after the Fifteenth of the Seventh Month last) payable to the Trustees, the Sum of ———	£ 49,582 13 4	
That the Quotas outstanding and then due on all the Mortgage-Deeds in the said Office amounted to ———	19,552 9 2	
		£ 69,135 2 6
That it appears by a List of 102 Mortgages, taken on the seventh Re-emission of the second £ 80,000 Act, there has been lent out thereon the Sum of ———	£ 6,601 10 0	
And by a List of 41 Mortgages, taken on the eighth Re-emission of the same Act, the Sum of ———	3,038 0 0	
That several Sums lent the City of Philadelphia are not yet repaid, viz.		
The Balance of the first Sum lent the said City ———	156 0 0	
The Balance of the Sum lent the said City, for building Alms-houses,	187 10 0	
		£ 9,983 0 0
		£ 79,118 2 6
Balance in the Trustees Hands, ———		881 17 6
		£ 80,000 0 0

THAT the Trustees, on Account of Interest, are Charged with the Balance due to the Province at last Settlement, in 1753, ——— £ 1,959 10 6½

And with the Interest outstanding on all the Mortgage-Deeds, at last Settlement,	7,688 4 7
To the Interest arising on all the Mortgage-Deeds for the current Year, ———	3,016 6 3½
To the Interest at Discharge, and broken Interest, ———	1,127 17 9
	£ 13,791 19 2

That the Trustees have Credit for the Interest, which upon a careful Examination of Endorsements upon all the Mortgage-Deeds in the Loan-Office, appears to have been outstanding and due on the 15th of the Seventh Month last, amounting to £ 8,460 12 3

By Cash paid sundry Orders for Assembly-Men's Wages, ———	453 13 0
Paid Isaac Norris, Benjamin Franklin and Richard Peters, for the Present and Charges at Carlisle Treaty, ———	1,179 19 6
Paid Richard Hockley, for the Proprietaries, as ordered by Law, ———	130 0 0
Paid the Superintendants of the State-house, ———	200 0 0
Paid Ditto, ———	200 0 0
Paid Samuel Kirk, for Fire-wood, ———	3 18 6
Paid Benjamin Franklin, for printing the second Volume of the Votes, ———	300 5 0
Paid Anthony Benezet, allowed by the House, for some Frenchmen, ———	10 0 0
Paid Isaac Norris, to buy Glass, ———	34 0 0
Paid Jabez Evans, per Order of the House, ———	1 0 0
Paid Isaac Norris, Benjamin Franklin and Richard Peters, for the Present and Charges at Albany Treaty, ———	670 6 0
To Cash paid Isaac Norris, for Robert Charles, towards a Bell, ———	170 0 0
Paid Trustees Salary, ———	500 0 0
Paid Charles Brockden, in full for Mortgages, ———	221 10 0
By Allowance per Law for exchanging £ 516 5 10, at 55s. per Thousand, ———	1 11 6
	£ 12,536 15 9
Balance due to the Province, ———	1,255 3 5
	£ 13,791 19 2

1754. *Auguſt* 17.

WE do likewiſe report, that we have examined the Provincial Treaſurer's Account, and find, that he Charges the Province with the ſeveral Sums following, viz.

To Caſh paid John Smith, per Order	£	9	18 0
Ditto paid Thomas Cummings, per Order		3	0 0
Ditto paid Edward Kelly, per Ditto,		10	11 7½
Ditto paid Ezekiel Dunning, per Ditto,		11	0 0
Ditto paid Samuel Kirke, per Ditto,		8	0 0
Ditto paid Conrad Weiſer, per Ditto,		58	14 2
Ditto paid Andrew Montour, per Ditto,		8	0 0
Ditto paid Conrad Weiſer, per Ditto,		25	5 0
Ditto paid John Arts, per Ditto,		2	0 0
Ditto paid Lynford Lardner, per Ditto,		8	0 6
Ditto paid Richard Peters, per Ditto,		46	17 0
Ditto paid Ditto, his Salary,		15	0 0
Ditto paid William Allen, Eſq; Chief Judge,		200	0 0
Ditto paid Charles Stow,		1	17 6
Ditto paid Charles Brockden		3	18 4
Ditto paid William Weſt, for carrying Expreſſes to Ohio		22	5 1½
Ditto paid Caleb Cowpland, Eſq; one of the Supreme Judges,		60	0 0
Ditto paid Lawrence Growdon, Eſq; Ditto,		60	0 0
Ditto paid Mary Burden, per Order,		5	0 0
Ditto paid Evan Morgan, per Ditto,		3	6 0
Ditto paid Plunket Fleeſon, per Ditto,		1	2 0
Ditto paid William Franklin, per Ditto,		35	1 0
Ditto paid Ditto, per Ditto,		12	0 0
Ditto paid George Aſhbridge, to be delivered by him to Thomas Jervis, Richard Richardſon, &c. on Account of the Diſcovery of Eleanor Davis's Murderers,		25	0 0
Ditto paid Alexander M'Genty, per Order,		6	0 0
Ditto paid Benjamin and William Franklin for Poſtage of Letters,		19	19 9
Ditto paid Benjamin Franklin, per Order,		50	0 0
Ditto paid Ditto, per Ditto,		24	5 0
Ditto paid Samuel Morris, Sheriff, for Trial and Execution of Daniel Hurly,		8	16 0
Ditto paid Iſaac Norris, per Order,		30	0 0
Ditto paid Iſaac Norris, £ 100 Sterling, for Richard Patridge,		167	10 0
Ditto paid Ditto, £ 50 Sterling, for Robert Charles,		83	15 0
Ditto paid Hannah Boyd, for Andrew Montour, per Order,		6	14 4
Ditto paid Richard Peters, for George Croghan, per Ditto,		73	2 0
Ditto paid John Patten, for going a Meſſage to Ohio, &c.		50	0 0
Ditto paid Edward Warner, per Order,		9	0 0
Ditto paid Richard Peters, for the Governor,		500	0 0
Ditto paid Iſaac Norris, for the Agent in London, £ 100 Sterling,		170	0 0
Ditto paid James Foley, for an Expreſs from the Ohio,		18	5 0
Ditto paid Joſeph Armſtrong, for John Harris per Order,		20	0 0
Ditto paid Iſaac Norris, for Hermanus Alrichs, per Ditto,		5	0 0
Ditto paid Thomas Jervis, for going on Expreſſes to Virginia,		33	5 1
Ditto paid Iſaac Norris, to defray the Commiſſioners Charges to Albany,		100	0 0
Ditto paid Benjamin Franklin, for Ditto, per Order,		100	0 0
Ditto paid Iſaac Norris, for Andrew Montour, per Ditto,		79	1 4
Ditto paid Hugh Roberts, per Ditto,		9	0 0
Ditto paid Charles Norris, in Part of £ 5000 granted by the Aſſembly for the King's Uſe, which is to be ſunk,		500	0 0
Ditto paid Charles Norris, in Part of Ditto,		500	0 0
	£	3,199	9 9
To Commiſſions on the above, at Five per Cent,		159	19 5¾
Balance due to the Province.		462	10 10¾
	£	3,822	0 1½

THAT he Credits the Province for Balance due at the laſt Settlement, Eighth Month 29, 1753, £ 1,108 14 5

And by Caſh received of Joſeph Redman, Collector of the Exciſe for the City and County of Philadelphia,	2,090	3 0½
By Ditto of Jeremiah Starr, Collector of the Exciſe for the County of Cheſter,	219	18 6
By Ditto of Daniel Craig, Collector of Northampton,	19	1 0
By Ditto of John Woolſton, Collector of Bucks,	212	5 1
By Ditto of Arthur Patterſon, Collector of Lancaſter,	50	0 0
By Ditto of David M'Connaughy, Collector of York,	22	3 6
By Ditto of John Hughes, Collector of Berks,	97	14 7
By Ditto of James Lindſay, Collector of Cumberland,	2	0 0
	£	3,822 0 1½

THAT Joſeph Redman returns an outſtanding Debt of Judah Foulke, the former Collector, as per his Account laſt Year, £ 157 10 4

THAT we have examined the Accounts of Joſeph Redman, Collector of the Exciſe for the City and County of Philadelphia, and find,

That he Credits the Province, by Balance due at laſt Settlement,	£	168	8 10
By the Amount of Exciſe from June 1, 1753, to June 1, 1754,		2,030	13 0
By ſundry Retailers, at Three Pounds per Annum,		190	10 0
By one Moiety of Fines, as per Liſt,		5	0 0
	£	2,394	11 10
That he Charges the Province with Caſh paid Michael Lightfoot, Provincial Treaſurer,	£	2,090	3 0
To his Commiſſions thereon, at Five per Cent,		104	10 2
To Allowance made him by the Aſſembly for Collecting Judah Foulke's Outſtandings, for the Sum of £ 575, at Five per Cent,		28	15 0
Balance due to the Province,		171	3 8
	£	2,394	11 10

THAT

THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees to exchange old and ragged Bills, £ 3,818 12 6
And we do further report, that we have burnt and destroyed of ragged Bills, — 516 5 10

Which leaves in the Hands of the Trustees, for exchanging ragged Bills, £ 3,302 6 8
And lastly, we report, that in Pursuance of the Act that gave £ 5000 to the King's Use, we have burnt and destroyed the Sum of One Thousand Pounds.

1754. *August* 17.

Submitted to the Correction of the House, 8th Month 15, 1754.

EDWARD WARNER,
WILLIAM CALLENDER,
JOSEPH FOX."

Then the several Orders for the Payment of the Members Wages, the Salaries of Officers, and other Incidental Charges, being signed by the Speaker, by Order of the House;

The House adjourned to the 30th of *September* next. Adjournment

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At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1754.

BY the Returns of the Sheriffs of the respective Counties, it appears that the following Gentlemen were duly chosen on the First and Second Instant, to serve in Assembly as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.* *October* 14.

For *Philadelphia* County.
Isaac Norris,
Evan Morgan,
Hugh Evans,
Joseph Stretch,
Edward Warner,
Joseph Fox,
Joshua Morris,
Joseph Trotter.

For *Philadelphia* City.
Benjamin Franklin,
William Callender.

For *Bucks* County.
Mahlon Kirkbride,
William Smith,
Griffith Owen,
Derrick Hogeland,

For *Bucks* County.
Joseph Hampton,
William Hoge,
Jonathan Ingham,
Samuel Brown.

For *Chester* County.
George Ashbridge,
Joseph Gibbons,
Peter Dicks,
Thomas Cummings,
Nathaniel Pennock,
Nathaniel Grubb,
Joseph James,
William Peters.

For *Lancaster* County.
James Wright,
Calvin Cooper,

For *Lancaster* County.
Arthur Patterson,
Peter Worral.

For *York* County.
John Wright,
David M'Connaughy.

For *Cumberland* County.
Joseph Armstrong,
John Smith.

For *Berks* County.
Moses Starr.

For *Northampton* County.
James Burnside.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the Year ensuing, and accordingly placed in the Chair.

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *George Ashbridge*, *James Wright*, *John Wright*, *Joseph Armstrong*, *Moses Starr* and *James Burnside* wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they delivered the same, according to Order; and that the Governor was pleased to say, he would be ready to receive the House this Morning, at Eleven o'Clock, in the Council Chamber. *October* 15.

A Message from the Governor, by the Secretary:

SIR,

" The Governor is now in the Council Chamber, ready to receive the House with " their Speaker."

Then

1754. October 15. Then the Speaker, with the whole Houſe, waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor, and preſented their Speaker, and that the Governor was pleaſed to approve their Choice. That the Speaker had then, in the Name and Behalf of the Houſe, claimed the uſual Privileges, *viz.*

That the better to diſcharge the Buſineſs of the Public, they may at all ſeaſonable Times have free Acceſs to the Governor.

That their Perſons and Eſtates may be protected from all Arreſts and Inſults during the Time of Privilege accuſtomed.

That it would pleaſe the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the Houſe, until the ſame ſhall have paſſed into a Reſolve, nor give the leaſt Credit to ſuch Report. And laſtly,

That his own (the Speaker's) unwilling Miſtakes may be excuſed, and not imputed to the Houſe.

All which he had requeſted as the juſt Rights and Privileges of the Freemen of *Pennſylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleaſed to ſay, that he not only confirmed thoſe Rights and Privileges to the Houſe, but ſhould be always ready to confirm any others that they were entitled by Law to demand. And likewiſe that the Governor acquainted the Houſe, that, by the Time they had taken their reſpective Qualifications, he ſhould have ſomething ready to communicate to them, and ſhould therefore again require their Attendance by the Secretary.

Then the Qualifications by Law appointed, were taken and ſubſcribed, firſt by the Speaker in the Chair, and then at the Table by all the reſt of the Members preſent, in their Order.

A Meſſage from the Governor, by the Secretary:

S I R,

"The Governor requires the Attendance of the Houſe in the Council Chamber im-
"mediately."

Then the Speaker, with the whole Houſe, waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor, who was pleaſed to make a Speech to this Houſe, a Copy of which he had delivered to the Speaker.

The Governor's Speech was read at the Table, by Order, and follows in theſe Words, *viz.*

Mr. Speaker, and Gentlemen of the Aſſembly,

A Speech of the Governor to the Aſſembly.

'ON Mr. *Hamilton's* Reſignation, the Honourable Proprietaries were pleaſed to appoint me to the Command of this Province: And as I am perſuaded they have 'nothing more at Heart than the Welfare and Proſperity of the People, I flatter myſelf, 'their Choice of me was from the Opinion they entertained, that I would, to the ut-'moſt of my Power, promote the general Happineſs; in which it ſhall be my earneſt 'Endeavour not to diſappoint them: I therefore take this early Opportunity of aſſuring 'you, that I ſhall, upon all Occaſions, be ſtudious to protect the People committed to 'my Charge in the Enjoyment of all their Civil and Religious Privileges, and at the ſame 'Time be careful to maintain the juſt Rights of Government, as equally conducive to 'the Public Good.

'The particular Matter I have at preſent to recommend to your Conſideration, is the 'State of the Frontiers of this and the neighbouring Governments, where you will find 'the *French* acting with a ſteady Uniformity and avowed Reſolution to make themſelves 'Maſters of this Country. Their Encroachments upon his Majeſty's Territories, and 'their hoſtile Proceedings in this Time of Peace, may ſhew us what we are to expect in 'Caſe of open War, if we ſuffer them to ſtrengthen themſelves in the Poſſeſſion of that 'Country they have ſo unjuſtly ſeized, and from whence they may not only annoy us, 'by the *Indians* in their Alliance, but can at any Time march a Body of Troops into 'this plentiful Province, ſituated in the Center of the *Britiſh* Dominions in *America*.

'I am ſure I need only mention to you the arbitrary and tyrannical Nature of their 'Government, and the deteſtable Principles of their Religion, to convince you of the 'unhappy Condition theſe Colonies will be reduced to, ſhould they ever become ſubject 'to the *French*. I do therefore, in his Majeſty's Name, earneſtly recommend it to you 'to exert yourſelves at this critical Juncture in Defence of your Country, while their 'Numbers are ſmall, and before they have eſtabliſhed themſelves in their preſent Situa-'tion; and ſhall only obſerve, that if this Opportunity be loſt, it is not likely we ſhall 'ever have another ſo favourable.

'If, when you ſhall think it a proper Seaſon to proceed to private Buſineſs, you ſhall 'find any Laws wanting for the better Government of the Province, I ſhall be ready

'to

1754. October 15.

"to enter upon the Consideration of what you shall propose, and give my Consent to "such as I shall judge reasonable, and for the Public Utility."

Resolved, That *William Franklin* be Clerk to this House for the Year ensuing.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Edward Kelly* be Door-keeper to this House for the Year ensuing.

Ordered, That *Evan Morgan* and *Joseph Trotter* do procure from the Rolls Office a Copy of the Governor's Commission, and the King's Approbation; and bring them to the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Ordered, That *Benjamin Franklin* and *William Callender* be, with the Speaker, a Committee of Correspondence.

Ordered, That *Joseph Fox*, *Joseph Trotter*, *Benjamin Franklin*, *George Ashbridge* and *Peter Worral* be a Committee of Grievances for the Year ensuing; and they have Power to send for Persons, Papers and Records.

Ordered, That *Evan Morgan*, *Joseph Fox*, *Joseph Stretch*, *William Callender*, *Joseph Hamton* and *Thomas Cummings* be a Committee to audit and settle the Accounts of the General Loan-Office, and other Public Accounts; and to sink and destroy the Bills of Credit received in Exchange, pursuant to the late Paper-Money Acts; and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have Power to send for Persons, Papers and Records.

Ordered, That *Joseph Fox* and *Benjamin Franklin* be a Committee to revise the Minutes before they are printed.

Resolved, That *Michael Lightfoot* be Treasurer of this Province for the ensuing Year.

Resolved, That *Richard Partridge*, Esq; be Agent of this Province at the Court of *Great-Britain* for the Year ensuing.

Resolved, That *Fifty Pounds Sterling* be allowed *Robert Charles*, Esq; as an Assistant to the Agent for the ensuing Year.

A Petition from *Spencer Trotter*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that as the Office of Collector of the Duties imposed on Persons convicted of heinous Crimes, and others, imported into this Province, is now become vacant by the Death of *George Spofford*, the late Collector thereof, the Petitioner prays that this House would be pleased to appoint him to the said Office.

Ordered to lie on the Table.

A Petition from *Richard Sewell*, of the City of *Philadelphia*, praying to be appointed the Officer for collecting the Duties imposed on Persons convicted of heinous Crimes, and others, imported into this Province, was presented to the House and read; and

Ordered to lie on the Table.

A Petition from *Thomas Bourne*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Petitioner hath, at the Appointment and Request of *George Spofford*, during his late Illness, collected the Duties imposed on Persons convicted of heinous Crimes, and others, imported into this Province, and hath continued in the Execution thereof since the Decease of the said *George*, the late Collector, to the general Satisfaction of all Persons concerned; the Petitioner therefore prays that this House would be pleased to appoint him the Officer for collecting the said Duties.

Ordered to lie on the Table.

A Petition from *John Knowles*, of the City of *Philadelphia*, praying to be appointed the Officer for collecting the Duties imposed on Persons convicted of heinous Crimes, and others, imported into this Province, was presented to the House and read; and

Ordered to lie on the Table.

The Governor's Speech was again read, and considered; and the further Consideration thereof was referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

October 16.

The Governor's Speech was again read, and considered, by Paragraphs; and, after some Time spent therein, the same was referred to farther Consideration in the Afternoon.

A Message from the Governor, by the Secretary:

SIR,

"The Governor sends to the House several Letters, Accounts, and Papers, relating "to *Indian* Affairs; whence they will know what has passed in this Branch of Business, "since the Sitting of the last Assembly, and judge what may be further necessary for "them to do at this Sitting."

The Papers sent down by the Governor were read at the Table; and they are severally entituled as follows, *viz.*

1. *A Letter to Governor* Hamilton *from* George Croghan; *dated* Aughwick Old Town, August 16, 1754.

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2. *A Copy of a Letter from Governor* Hamilton *to* George Croghan; *dated* Philadelphia, Auguſt 23, 1754.

3. *A Letter to Governor* Hamilton *from* Conrad Weiſer; *dated* Heidelberg, *in the County of* Berks, September 13, 1754.

4. *A Letter to Governor* Hamilton *from* George Croghan; *dated* Auguſt 30, 1754.

5. *A Letter to Governor* Hamilton *from* George Croghan; *dated* September 27, 1754.

6. *A Letter to Governor* Hamilton *from* John Harris; *dated* Paxton, October 5, 1754.

Sundry Accounts paid by *Conrad Weiſer*, for the Maintenance and Support of the *Indians* at *Aughwick*, were alſo laid before the Houſe by the Secretary, and read; and referred to the Committee of Accounts.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Gentlemen appointed to procure a Copy of the Governor's Commiſſion, and the King's Approbation, report, that they had been with the Maſter of the Rolls, who informed them, that he was then recording the ſaid Commiſſion and Approbation; and, as ſoon as he had finiſhed, would make out a Copy thereof for the Uſe of the Houſe.

The Governor's Speech was again read, and conſidered; and, after ſome Time ſpent therein, was referred to further Conſideration.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 17. — A Petition from *William Hill*, of the City of *Philadelphia*, praying to be appointed the Officer for collecting the Duties impoſed on Perſons convicted of heinous Crimes, and others, imported into this Province, was preſented to the Houſe and read; and

Ordered to lie on the Table.

The Petitions of *Spencer Trotter*, *Richard Sewell*, *John Knowles*, *Thomas Bourne* and *William Hill* were again ſeverally read, in their Order; and, after a conſiderable Debate, the Queſtion was put, *Whether* Spencer Trotter *ſhall be appointed the Officer for collecting the Duties impoſed on Perſons convicted of heinous Crimes, and others, imported into this Province?*

To which Queſtion *Sixteen* Members roſe, and *Fifteen* ſat, beſides the Speaker in the Chair. But the *Fifteen* calling upon the Speaker to declare his Vote, a conſiderable Debate aroſe, *Whether the Speaker, in this Caſe, had a Right to a Vote?* And, after ſome Time ſpent therein, the ſame was referred to farther Conſideration in the Afternoon.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — A Petition from *Lewis Evans*, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioner hath, with much Labour and Expence, prepared Materials for a Map of this and four of the neighbouring Colonies; the Country of the *Six Nations* from Lake *Champlain*, its North-Eaſtern Extremity, to the Falls of *Ohio*; the Lakes *Champlain*, *Ontario* and *Erie*; the Routes from *Albany* to *Oſwego*, and, by *Crown Point*, to *Canada* (the latter being the Paſs that the *French* and *Indians* harraſs the Governments of *New-York* and *New-England* by;) the Routes from *Canada* to *Yawgra*, *Ohio* and *Detroit*, and by the *Outawas* River, and the Lake *Huron* to *Detroit* (being for the greateſt Part their uſual Way to the Weſtern Nations;) and the Connection and Situation of the *Engliſh* and *French* Colonies with the Land of the *Six Nations*, the undoubted Property of the King of *Great-Britain*, a Country equal in Magnitude to all the Plantations yet made by the *Engliſh* on this Continent: That the Petitioner is unable to ſupport the Expence of Engraving and Printing the ſaid Map, and of printing an Analyſis containing his Authority for every Part thereof, as well as a Deſcription of all the remoter Parts, and the Manner of Travelling from Place to Place through Countries deſtitute of common Roads; the Petitioner therefore prays that this Houſe would grant him ſuch Aſſiſtance in the Premiſes as to their Wiſdom ſhall ſeem meet.

Ordered to lie on the Table.

The Gentlemen appointed to procure a Copy of the Governor's Commiſſion, and the King's Approbation, brought the ſame to the Houſe, where it was read, and ordered to be printed with the Minutes of this Sitting.

And the ſaid Commiſſion, and Approbation, are as follow, *viz.*

Copy of the Governor's Commiſſion, &c.

'THOMAS PENN and RICHARD PENN, true and abſolute Proprietaries, and Governors in Chief of the Province of *Pennſylvania*, and Counties of *New-Caſtle*, *Kent* and *Suſſex*, on *Delaware*, to ROBERT HUNTER MORRIS, Eſquire, *Greeting*: WHEREAS the late King CHARLES the Second, by his Letters Patent, under the Great Seal of *England*, bearing Date the Fourth Day of *March*, in the Thirty-third Year of his Reign, was graciouſly pleaſed to grant unto WILLIAM PENN, Eſquire, the late Father of the ſaid THOMAS PENN and RICHARD PENN, and

1754. October 17.

and ſince deceaſed, his Heirs and Aſſigns, the ſaid Province of *Pennſylvania*, with large Powers, Juriſdictions and Authorities, for the Well-governing, Safety, Defence and Preſervation of the ſaid Province, and the People reſiding therein; and more particularly, to do, and perform ſundry Matters and Things therein mentioned, either by himſelf, or his Deputies or Lieutenants, as by the ſaid Letters Patent, Relation being thereunto had, may more fully appear. AND WHEREAS the late King *JAMES* the Second, before he came to the Crown, by the Name of *JAMES*, Duke of *York* and *Albany*, being rightfully poſſeſſed of a certain Tract of Land, lying on the Weſt-ſide of the Bay and River of *Delaware*, now commonly called and known by the Name or Names of the Counties of *New-Caſtle*, *Kent* and *Suſſex*, upon *Delaware*; and being likewiſe inveſted with ſundry Royalties, Privileges, Immunities, Powers, Juriſdictions and Authorities, for the Defence, Safety, Preſervation and Well-governing of the ſaid Tract of Land, and the Inhabitants thereof; did, by certain Deeds, duly executed, and bearing Date as therein mentioned, Give and Grant, unto the ſaid WILLIAM PENN, his Heirs and Aſſigns, the ſaid Tract of Land, lying on the Weſt-ſide of the Bay and River of *Delaware*, with all and every the ſaid Royalties, Privileges, Immunities, Powers, Juriſdictions and Authorities, which he the ſaid Duke of *York* ſtood then inveſted with as aforeſaid, as by ſuch Deeds, Relation being thereunto had, may more fully appear. NOW KNOW YE, that We, repoſing ſpecial Truſt and Confidence in your Loyalty to the King, and in your Prudence, Conduct and Integrity, *Do*, by Virtue of the ſaid Letters Patent, and Deeds, Depute, Conſtitute, Nominate, and Appoint you the ſaid ROBERT HUNTER MORRIS to be Lieutenant-Governor of the ſaid Province and Counties, *Giving and hereby Granting* unto you full Power and Authority, to exerciſe, execute, and put in Practice, in ample Manner, all and every the Powers, Juriſdictions and Authorities, ſo granted unto the ſaid WILLIAM PENN, his Heirs and Aſſigns, by the ſaid Letters Patent and Deeds, as ſhall be neceſſary and convenient, for the Safety, Well-being, Defence, Preſervation and Well-governing of the ſaid Province and Counties and the People thereof, hereby committed and entruſted to your Care and Charge. *And Generally* at all Times, and upon all Occaſions, when proper and convenient, to exerciſe, do, execute, act and perform, all and all Manner of Powers, Authorities, Acts military, and all other Matters and Things whatſoever, requiſite and neceſſary for the good Order of Government, for the Adminiſtring, Maintaining, and Executing of Juſtice, and for the Safety, Peace, Defence and Preſervation of the ſaid Province and Counties, and the People under your Government and Direction, as fully and amply, to all Intents, Conſtructions and Purpoſes, as we ourſelves might or could do, by Virtue of the ſaid Letters Patent and Deeds, or any otherwiſe howſoever, were we perſonally preſent; you following and obſerving ſuch Orders, Inſtructions and Directions, as you now have, or hereafter, from Time to Time, ſhall receive, from us or our Heirs: *To Have*, *Hold*, *Execute*, *Exerciſe and Enjoy*, the ſaid Office or Poſt of Lieutenant-Governor of the ſaid Province and Counties, with all and every the ſaid Powers, Juriſdictions and Authorities herein before granted; and all Titles, Privileges, Pre-eminences, Profits and Advantages, to a Lieutenant-Governor and Commander in Chief, of the ſaid Province and Counties belonging, and therewith uſually held and enjoyed, unto you the ſaid ROBERT HUNTER MORRIS, for and during the good Pleaſure of us, and the Survivor of us, and until further Order. PROVIDED ALWAYS, that nothing herein contained, ſhall extend, or be conſtrued to extend, to give you any Power or Authority, to do, perform, act, ſuffer, acquieſce in, or conſent or agree unto, any Act, Matter or Thing whatſoever, by Means or Reaſon whereof, we, or either of us, or the Heirs of us, or of either of us, may be hurt, prejudiced, impeached, or incumbered, in our or their, or either of our or their Royalties, Juriſdictions, Properties, Eſtate, Right, Title or Intereſt, of in or to, the ſaid Province or Counties, or any Part of them; nor to ſet, let, leaſe out, grant, demiſe, receive, poſſeſs, occupy or diſpoſe of any Manors, Meſſuages, Lands, Tenements, Houſes, Gardens, Royalties, Rents, Iſſues or Profits, ariſing, belonging or accruing unto us, or either of us, in the Province and Counties aforeſaid, or otherwiſe; nor to intermeddle or concern yourſelf therewith, or with any Part of the Property thereof, or with any Officer or Officers, appointed for the Management thereof, either by placing, diſplacing, interrupting or hindering any of them, in the juſt Execution of their Offices: But in caſe your Aid or Aſſiſtance ſhall be wanted by them, and deſired for our Service, then, and in ſuch Caſe, you are hereby required to aſſiſt them, by all lawful Ways and Means to the utmoſt of your Power, any Thing herein before contained to the contrary thereof, in anywiſe notwithſtanding. AND we do hereby ſtrictly command, charge and require all Perſons within the ſaid Province and Counties, of what Degree, Quality, State or Condition ſoever, to yield, give and pay unto you, all Reſpect, Submiſſion and Obedience, as Lieutenant-Governor of the ſaid

Province

1754. October 17. ‘ Province and Counties, ſo appointed as aforeſaid, as they will anſwer the contrary ‘ at their Peril.”

‘ *GIVEN under our Hands and Seals at Arms, the Fourteenth Day of*
‘ May, *in the Twenty-ſeventh Year of the Reign of our Sovereign Lord*
‘ GEORGE *the Second, by the Grace of God, of* Great-Britain,
‘ France *and* Ireland, *King, Defender of the Faith, and ſo forth, and*
‘ *in the Year of our Lord* One Thouſand Seven Hundred Fifty
‘ and Four.

[The Great Seal of the Province of *Pennſylvania*, appendant by a Ribbon, annexed.]

THOMAS PENN. L. S.

RICHARD PENN. L. S.

Recorded the 17th Day of *October*, 1754.

I do hereby certify the foregoing to be an Exemplification, or true Copy, of an original Record in the Rolls-Office at Philadelphia. *Entered in Com. Book* A. *Vol.* II. *Page* 175, &c.

C. BROCKDEN, M. R. D.

At the COURT *at* Kenſington, *the 21ſt Day of* June, 1754.

PRESENT,

The KING's moſt excellent Majeſty, in Council.

‘ WHEREAS THOMAS PENN and RICHARD PENN, Proprietaries of the Pro-
‘ vince of *Pennſylvania*, and Counties of *New-Caſtle*, *Kent* and *Suſſex*, on *Dela-*
‘ *ware*, in *America*, have repreſented to his Majeſty at this Board, that they have no-
‘ minated *Robert Hunter Morris*, Eſq; to be Deputy or Lieutenant-Governor of the
‘ ſaid Province, and Counties, and therefore prayed his Majeſty's Allowance and Ap-
‘ probation of the ſaid *Robert Hunter Morris*, in the accuſtomed Manner. His Majeſty
‘ having taken the ſame into Conſideration, is hereby pleaſed to approve of the ſaid *Ro-*
‘ *bert Hunter Morris*, to be Deputy Governor of *Pennſylvania*, without Limitation of
‘ Time; and of the ſaid Three Counties of *New-Caſtle*, *Kent* and *Suſſex*, during his Ma-
‘ jeſty's Royal Will and Pleaſure only. Provided the ſaid *Robert Hunter Morris* do qua-
‘ lify himſelf for that Truſt, in ſuch Manner as the Law requires; and that good and
‘ ſufficient Security be given for his obſerving the Acts of Trade and Navigation, and
‘ for his obeying ſuch Inſtructions relating thereto, as ſhall be, from Time to Time,
‘ ſent to him from his Majeſty, or any acting under his Royal Authority. And provi-
‘ ded alſo, that the ſaid THOMAS PENN and RICHARD PENN do make a Declaration
‘ in ſuch Manner as hath been formerly made, relating to his Majeſty's Right to the
‘ ſaid Three Counties.——And the Lords Commiſſioners for Trade and Plantations are
‘ to take Care that ſuch Security be accordingly given, and to make Report thereof to
‘ his Majeſty at this Board; and the ſaid Lords Commiſſioners are likewiſe at the ſame
‘ Time to lay before his Majeſty a Draught of ſuch Inſtructions as have been uſually
‘ given by his Majeſty to the ſaid Proprietaries on the like Occaſions.

W. SHARPE.”

Recorded the 17th Day of *October* 1754.

A true Copy, examined per C. BROCKDEN, M. R. D.

At the COURT *at* Kenſington, *the 21ſt Day of* June, 1754.

PRESENT,

The KING's moſt excellent Majeſty, in Council.

‘ HIS Majeſty having been pleaſed to declare his Royal Allowance and Approbation
‘ of *Robert Hunter Morris*, Eſq; to be Deputy Governor of the Province of *Penn-*
‘ *ſylvania*, without Limitation of Time; and of the Counties of *New-Caſtle*, *Kent* and
‘ *Suſſex*, on *Delaware* River, in *America*, during his Royal Will and Pleaſure, according
‘ to the Nomination of THOMAS and RICHARD PENN, Eſquires, Proprietaries of the
‘ ſaid Province, and Counties; he this Day took the Oaths before his Majeſty in
‘ Council, appointed to be taken, inſtead of the Oaths of Allegiance and Supremacy;
‘ and alſo the Oath required to be taken by the Governors of his Majeſty's Plantations,
‘ for putting in Execution the Acts of Trade and Navigation.

W. SHARPE.”

Recorded the 17th Day of *October*, 1754.

I do hereby certify the above-written to be an Exemplification, or true Copy, of an original Record in the Rolls Office at Philadelphia, *in Com. Book* A. *Vol.* II. *Page* 177.

C. BROCKDEN, M. R. D.

The

1754. *October* 17.

The Houſe proceeded upon the Conſideration of the Queſtion, *Whether the Speaker of this Houſe has a Right to give his Vote in the Caſe of* Spencer Trotter? And, after a conſiderable Debate, the ſame was referred to farther Conſideration.

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *David M'Connaughy*, *Joſeph Armſtrong*, *Moſes Starr* and *James Burnſide* be a Committee to prepare a Draught of an Addreſs in Anſwer to the Governor's Speech, and report it to the Houſe To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

October 18.

The Gentlemen appointed to prepare a Draught of an Addreſs in Anſwer to the Governor's Speech, reported the ſame to the Houſe, where it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Reſolved, *N. C. D.* That *Five Hundred Pounds* be at this Time paid, out of the Provincial Treaſury, to the Honourable ROBERT HUNTER MORRIS, Eſq; Lieutenant Governor of this Province.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Addreſs to the Governor being tranſcribed, it was again read, and follows in theſe Words, *viz.*

To the Honourable *ROBERT HUNTER MORRIS*, Eſq; Lieutenant Governor of the Province of *Pennſylvania*, &c.

The ADDRESS of the Repreſentatives of the Freemen of the ſaid Province, in Anſwer to the Governor's Speech of the 15th Inſtant.

May it pleaſe the GOVERNOR,

Aſſembly's Addreſs, in Anſwer to the Governor's Speech.

WE, the Repreſentatives of the Freemen of the Province of *Pennſylvania*, in General Aſſembly met, beg Leave to congratulate the Governor on his Acceſſion to this Government, and his ſafe Arrival in *Pennſylvania*.

It is very agreeable to us to find that the Choice of him was from an Opinion our honourable Proprietaries entertained, that he would, to the utmoſt of his Power, promote the general Happineſs of this Province; in which the Governor is pleaſed to aſſure us, it ſhall be his earneſt Endeavour not to diſappoint them; and that he will, on all Occaſions, be ſtudious to protect the People committed to his Charge in the Enjoyment of all their Civil and Religious Liberties. And we do, with the ſame Sincerity, promiſe to contribute every Thing in our Power to ſupport him in the Exertion of all the juſt Rights of Government conducive to theſe good Ends.

The Encroachments of the *French* on his Majeſty's Territories, and their hoſtile Proceedings in this Time of Peace, are truly alarming; and as they have been long ſince known in *Great Britain*, we were in Hopes, on the Governor's Arrival, to have received Inſtructions from the Crown, how to conduct ourſelves on this important Occaſion; but as we have not had any ſuch laid before us, the Royal Order ſent to the ſeveral Colonies by the Earl of *Holderneſſe*, in his Letter of the Twenty-eighth of *Auguſt*, 1753, appears to be the only Rule by which we can now act with Safety: And as we find our late Aſſembly did what was moſt conſiſtent with the Truſt repoſed in them to comply therewith, the Governor may likewiſe depend upon our doing whatever can be reaſonably expected from us for the Good of this Province, or the general Intereſt of the *Britiſh* Colonies on the Continent, whenever our Aſſiſtance can be applied to any valuable Purpoſe. But at preſent, as we know not where to direct our Aid, and as this has not been the uſual Time of doing Buſineſs, occaſioned by the Governor's being obliged to give his Attendance elſewhere, we are inclined, if he has no Objection, or any Thing farther to lay before us, to make a ſhort Adjournment; and if, during our Receſs, any Matters of Importance ſhould come to his Knowledge, we ſhall chearfully attend the Governor's Call of our Houſe, and contribute our Aſſiſtance for the Public Good."

And the ſaid Addreſs being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Mahlon Kirkbride* and *James Wright* wait upon the Governor, and deliver the ſame, with the Order of this Houſe for *Five Hundred Pounds*.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Gentlemen appointed to wait upon the Governor with the Addreſs of the Houſe, and the Order for *Five Hundred Pounds*, reported, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he thanked the Houſe for the Order; and would take their Addreſs into Conſideration, and return an Anſwer to the Houſe forthwith, if he found it required One.

The Committee of Accounts reported, that they had examined *Conrad Weiſer's* Account of Diſburſements for the Maintenance and Support of the *Indians* at *Aughwick*, and find, that, out of the *Three Hundred Pounds* put into his Hands for the Purpoſes aforeſaid, there is a Balance of *Six Pounds Twelve Shillings* and *Two-pence*, due from him to the Province.

The Houſe taking the Governor's verbal Meſſage of the Sixteenth Inſtant, with the

1754. several Letters from *Conrad Weiſer* and *George Croghan*, relating to *Indian* Affairs, into Conſideration;

October 18. *Reſolved*, That, until the next Sitting of Aſſembly, this Houſe will, out of the Provincial Treaſury, allow ſuch reaſonable Charges as neceſſarily ariſe upon making a ſuitable Proviſion towards the Maintenance of thoſe *Indians*, in our Alliance, as have taken Refuge within this Government.

Ordered, That Candles be brought in.

And they were brought in accordingly.

The Queſtion, *Whether the Speaker of this Houſe has a Right to give his Vote in the Caſe of* Spencer Trotter? was again debated; and, after ſome Time ſpent therein, was referred to further Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 19. The Committee of Accounts reported on an Account of *Conrad Weiſer's*, amounting to *Nineteen Pounds Four Shillings*, for the Maintenance of ſome *Indians* who came down to his Houſe in *July* laſt, that they were of Opinion the ſaid Account ought to be allowed.

The Committee of Accounts alſo reported on *Anthony Benezet's* Account of Diſburſements for the Relief and Maintenance of ſuch *French* Deſerters as have for ſome Time paſt arrived in this City, that they were of Opinion the ſaid Account was juſt; by which it appears, that there is a Balance of *Three Pounds Sixteen Shillings* and *Eleven-pence Halfpenny* remaining in the ſaid *Benezet's* Hands, due to the Province, out of the Money formerly paid him for the Purpoſes aforeſaid.

The Houſe agreed to the two above Reports of the Committee of Accounts.

Reſolved, That the further Sum of *Twenty Pounds* be paid out of the Provincial Treaſury into the Hands of *Anthony Benezet*, to be by him laid out for the Relief and Maintenance of ſuch *French* Deſerters as are now in this City, or may hereafter arrive, in ſuch Manner as he ſhall judge moſt ſuitable.

Reſolved, That this Houſe will this Day adjourn to the Second Day of *December* next.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'I VERY heartily thank you for your kind Addreſs. As I have nothing further to 'lay before you, I ſhall not object to your Propoſal of making a ſhort Adjournment.

Philadelphia,

October 19, 1754. *ROBERT HUNTER MORRIS.*"

Ordered, That *Hugh Evans* and *Joſeph Fox* wait upon the Governor, and acquaint him, that the Houſe is inclined to adjourn to the Second Day of *December* next, if he hath no Objection thereto.

The Committee of Accounts reported on an Account of *Conrad Weiſer's*, amounting to *Fifty-four Pounds*, for his and Son's Services, in attending the Commiſſioners to the *Carliſle* and *Albany* Treaties, and for ſending two Expreſſes to the Govornor, that they were of Opinion the ſame ought to be allowed;——to which Report the Houſe aſſented.

And an Order was accordingly drawn on the Treaſurer for Payment of the ſame, together with the Sum of *Nineteen Pounds Four Shillings*, allowed the ſaid *Weiſer* for the Maintenance of ſome *Indians* who came down to his Houſe in *July* laſt.

The Petition from *Lewis Evans* was again read, and conſidered; and, after ſome Time ſpent therein, it was

Reſolved, That the Sum of *Fifty Pounds* be paid out of the Provincial Treaſury to the ſaid *Evans*, towards the better enabling him to compleat and publiſh the Map mentioned in his ſaid Petition.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment; but, if Occaſion required, he ſhould call the Houſe together ſooner.

Ordered, That the Queſtion concerning the Speaker's Right to a Vote in the Caſe of *Spencer Trotter*, be referred to the Conſideration of this Houſe at their next Sitting.

Adjournment Then the Houſe adjourned to the Second Day of *December* next.

December 2. THE Houſe met purſuant to their Adjournment.

Poſt Meridiem *Ordered*, That *Evan Morgan* and *Joſeph Stretch* wait upon the Governor, and acquaint him, that the Houſe are met according to their Adjournment, and deſire to know if he hath any Thing to lay before them.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 3. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report

report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he should be at the Council Chamber about Eleven o'Clock this Morning, and would then send a Message to require the Attendance of the House. 1754. December 3.

The House being informed, that *Edward Warner*, chosen one of the Representatives of the County of *Philadelphia*, is deceased;

Ordered, That an Order issue, under the Hand of the Speaker, to the Secretary of the Province, requiring him to issue a Writ to the Sheriff of *Philadelphia*, for electing a new Member to serve in Assembly for the said County the present Year.

A Message from the Governor, by the Secretary:

S I R,

'The Governor requires the Attendance of the House immediately in the Council 'Chamber."

Then the Speaker, with the whole House, waited upon the Governor; and being returned, the Speaker resumed the Chair, and reported, that the House had waited upon the Governor, who was pleased to make a Speech to this House, a Copy of which he had delivered to the Speaker, and informed him, that the Papers therein referred to, should be laid before the House by the Secretary; and that whatever other Matters he might have to lay before the House, during this Sitting, he would communicate by Message.

The Governor's Speech was read, and it follows in these Words, *viz.*

Mr. Speaker, and Gentlemen of the Assembly,

A Speech of the Governor to the Assembly.

'AS you are now met for the Dispatch of Business, I think it my Duty to remind 'you of what I said at the Opening of the last Sitting, and to lay before you a Let- 'ter I have since received from Sir *Thomas Robinson*, one of his Majesty's principal Se- 'cretaries of State, signifying to me, " his Majesty's express Commands, that I should " not only act vigorously in Defence of the Government under my Care, but that I " should likewise be aiding and assisting his Majesty's other Colonies, to repel any " hostile Attempts made against them."

'At the Time of writing that Letter, on the Fifth of *July* last, his Majesty, and 'his Ministers, were only informed, that the *French* had drove some of the *Virginia* 'Troops from a Place on *Ohio*, at the Mouth of *Mohongialo*, and were erecting a Fort 'there; and you will observe, they think those Advantages, gained by the *French*, " might have been in a great Measure, if not totally, prevented, if every one of his " Majesty's Governments had exerted themselves according to the Directions in the Earl " of *Holderneſſe's* Letter of the Twenty-eighth of *August*."

'You are sensible, that many Things have happened since the Retreat from the Forks 'of *Mohongialo*, that have put our Affairs upon the Frontiers in a very bad Situation, 'much worse than his Majesty and his Ministers have any Knowledge of, or than they 'can possibly imagine; as they are well informed of the flourishing State of these Co- 'lonies, of the Numbers of Men they are capable of raising, and had great Reason to 'expect, that in a Matter, in which the Interest and Safety of the Colonies were so 'nearly concerned, they would have exerted themselves with uncommon Vigour.

'From the Letters and Intelligence I have ordered to be laid before you, it will ap- 'pear that the *French* have now, at their Fort at *Mohongialo*, above a Thousand regular 'Troops, besides *Indians*; that they are well supplied with Provisions, and that they 'have lately received an additional Number of Cannon; that their Upper Forts are also 'well garrisoned and provided, and that they are making a Settlement of Three Hun- 'dred Families in the Country of the *Twightwees*, at the South-west End of the Lake '*Erie*.

'From those Papers you will likewise be informed of the Use they have made of 'their last Year's Success among the *Indians* of the *Six Nations*, having prevailed with 'many of them to remove to *Canada*, who will either be neuter in the present Dispute, 'or take up Arms against us, while such few of the *Indians*, as still retain their Attach- 'ment to the *English*, dare not be active for us, till they see a Force in the Field su- 'perior to that of the *French*; and if that be not soon, they will certainly give up our 'Cause, and embrace the tempting Offers made them by the *French*.

'*Gentlemen*, It is now several Years since the *French* undertook this Expedition, and 'we have long had full Intelligence of their Designs, and of the Steps they have taken 'to carry them into Execution; their Progress indeed has been very surprizing, owing 'chiefly to the Inactivity of the *English* Colonies, who, I am sorry to say, have looked 'with too much Indifference upon an Affair that must end in their Ruin, if not timely 'prevented.

'When you have maturely considered the Conduct of the *French* upon the present 'Occasion, and observed the Steadiness with which they have pursued a well-laid Plan, 'you cannot doubt but very considerable Men have been concerned in the Formation of 'this Scheme, and that proper Persons are employed in the Execution of it; and as the 'Circumstances of these Colonies are by no Means unknown to the *French*, they are

'doubtless

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'doubtleſs prepared to make a vigorous Defence, and will not eaſily give up what they 'have taken ſo much Pains, and been at ſuch Expence to gain; but rather will be in- 'duced to attack us, knowing our weak and defenceleſs State, and that we are, as it 'were, an open Door for the Conqueſt of the reſt of the Provinces. We muſt therefore 'reſolve to act with Vigour, or not at all; for, in my Opinion, we had better not at- 'tempt than be defeated.

'Theſe Encroachments of the *French* upon the Territories of the Crown of *Britain* in '*America* have turned the Eyes of *Europe* to this Quarter of the World, as it is un- 'certain what Effects they may produce; the Conduct therefore of theſe Colonies will 'be more than ever the Object of their Attention, and ours in particular, who are moſt 'immediately concerned; for whether the *French* Forts are within the particular Limits 'of this Province or not, I look upon to be very immaterial in the preſent Caſe, though 'in my Opinion they are clearly ſo; but be that as it may, our Situation at preſent is 'certainly very alarming.—The *French* on our Borders are numerous, ſtrongly fortified, 'well provided, and daily encreaſing——The ſmall Body of *Engliſh* Troops on the 'Frontiers, weakened by the Deſertion from the Independent Companies, and the 'Want of Diſcipline in the *New Levies*.—The *Six Nations* of *Indians*, formerly our 'firm Friends, divided among themſelves, many of them gone over to the *French*, and 'others wavering, and in Doubt whether to follow their Brethren, or continue with us. 'The neighbouring Provinces (except *Virginia*) though nearly intereſted in the Iſſue 'of the preſent Affair, either contributing nothing towards the Common Cauſe, or 'ſparingly; and though *Virginia* has indeed given *Thirty Thouſand Pounds*, yet it will 'avail but little, unleſs a conſiderable Body of Troops be ſent from this Province, and 'kept up till the Work is done.

'Permit me, therefore, *Gentlemen*, to preſs this Matter upon you; exert yourſelves 'upon the preſent Occaſion; diſſipate the Cloud that hangs over your Country, and 'ſave her from the threatened Deſtruction. His Majeſty, ever anxious for the Welfare 'of all his Subjects, excites and commands us——The Eyes of a *Britiſh* Parliament, of 'the People of our Mother Country, of the other *American* Colonies, and even of all '*Europe*, are upon us———And the Fate of this Country, the Happineſs or Miſery of 'your Poſterity, very much depend on your Reſolutions.

'I cannot therefore admit myſelf to doubt but you will enter ſeriouſly upon the Con- 'ſideration of this important Affair, and, by enabling me to carry the King's Commands 'into full Execution, convince his Majeſty of your Readineſs to pay Obedience to his 'Royal Orders, ſet a ſeaſonable and noble Example to the other Colonies, and ſhew 'your Conſtituents, that you have nothing more at Heart than to ſecure to them and 'their Poſterity the Continuance of the many invaluable Bleſſings they enjoy.

December 3, 1754."

Ordered, That *George Aſhbridge* have Leave to be abſent till next Week on urgent Buſineſs.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

The Secretary laid before the Houſe the ſeveral Papers referred to in the Governor's Speech, and others, entituled as follow, *viz.*

1. *A Letter from Sir* Thomas Robinſon, *one of his Majeſty's principal Secretaries of State, to the Governor*; *dated* July 5, 1754.

2. *A Letter from Governor* Dinwiddie *to Governor* Morris; *dated* Williamſburg, November 8, 1754.

3. *A Letter from Governor* Sharpe *to Governor* Morris; *dated* Annapolis, November 8, 1754.

4. *A Letter to the Governor from* George Croghan; *dated* November 23, 1754.

5. *Extract of a Letter to the late Governor from* Daniel Claus; *dated* October, 1754.

6. *A Letter to the Secretary from* Daniel Claus; *dated* Conajoharée Caſtle, October 29, 1754.

7. *A Letter to the Secretary from* John Harris; *dated* October 29, 1754.

8. *A Letter to the Secretary from* George Croghan, *with an Account of ſundry Diſburſements by him, for the Maintenance of the* Indians *at* Aughwick; *dated* October 16, 1754.

And the foregoing Papers being ſeverally read, the Letter from Sir *Thomas Robinſon* was ordered to be printed with the Minutes, and the others to lie on the Table for the Peruſal of the Members.

And the ſaid Letter from Sir *Thomas Robinſon* follows in theſe Words, *viz.*

S I R, *Whitehall, July* 5 1754.

A Letter from Sir *Thomas Robinſon.*

"YOUR Letter of the Twenty-fifth of *Novembe*r laſt, in Anſwer to the Earl of "*Holderneſſe's* of the Twenty-eighth of *Auguſt*, having been received and laid be- "fore the King, I am to acquaint you, that it is his Majeſty's expreſs Command, that "you ſhould, in Obedience thereto, not only act vigorouſly in the Defence of the Go-

'vernment

" vernment under your Care, but that you ſhould likewiſe be aiding and aſſiſting his 1754.
" Majeſty's other *American* Colonies, to repel any hoſtile Attempts made againſt them, December 3.
" and it was with great Surprize that the King obſerved your total Silence upon that
" Part of his Majeſty's Orders, which relate to a Concert with the other Colonies, which
" you muſt be ſenſible is now become more eſſentially neceſſary for their common De-
" fence, ſince the Account received by you from Major *Waſhington*, with regard to the
" Hoſtilities committed by the *French* upon the River *Ohio*, which verify, in Fact,
" what was apprehended when the Earl of *Holderneſſe* wrote ſo fully to you in *Auguſt*
" laſt, and which might have been, in great Meaſure, if not totally, prevented, had
" every one of his Majeſty's Governments exerted themſelves according to thoſe Di-
" rections, the Obſervance thereof, I am now, by the King's Command, to enforce
" to you in the ſtrongeſt Manner. I am

" *SIR*,

Your moſt obedient humble Servant,
THOMAS ROBINSON."

The Speaker laid before the Houſe a Letter from the Agent, dated *Auguſt* 30, 1754, which was read, and ordered to lie on the Table for the Peruſal of the Members.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *Samuel Preſton Moore*, of the City of *Philadelphia*, Practitioner in Phyſic, praying to be appointed Treaſurer of this Province, in the Room of *Michael Lightfoot*, Eſq; deceaſed, was preſented to the Houſe and read, and *Ordered to lie on the Table.* December 4.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

' I HAVE ordered two Letters, which I received by Expreſs from Mr. *George Croghan*, the Perſon entruſted with the Care of the *Indians* at *Aughwick*, to be laid before you, by which you will be informed of the Propoſals made by the *French* to the *Indians* that removed from the *Ohio*, and of their Anſwer. A Meſſage from the Governor to the Aſſembly.

' Theſe People have been hitherto maintained by this Province, and I believe you will be of Opinion, that it is neceſſary to continue this Support at leaſt till the next Spring; and as ſome of the Chiefs are to ſet out for the great Council at *Onondago* upon the Return of this Expreſs, it may determine the Reſolution of that Council in Favour of the *Engliſh*, if I am enabled to aſſure thoſe Chiefs, before their Departure, that this Government will continue to maintain ſuch of their People as they leave behind them, and will take Meaſures to ſecure them againſt any ſudden Attack. As theſe People have always been very firmly attached to the *Engliſh* Intereſt, and, by their Anſwer to the *French* Meſſage, ſeem to give up all Thoughts of returning to *Ohio*, while it remains in their Hands, I muſt recommend it to you to make Proviſion for their Maintenance, and for ſetting up ſome Stocadoes round the Place they fix upon for their Winter Reſidence.

' I have detained the Expreſs till I could know your Reſolutions, and therefore hope you will give this Affair the neceſſary Diſpatch.

' That Part of Mr. *Croghan's* Letters relating to himſelf, will, I make no Doubt, be duly conſidered, and his Services rewarded in ſuch Manner as to give him perfect Satisfaction.

December 4, 1754. *ROBERT HUNTER MORRIS.*"

Ordered, That *George Croghan's* Accounts be referred to the Committee of Accounts, who are to report thereon to the Houſe.

The Governor's Speech was again read, and conſidered; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Committee of Accounts reported on *George Croghan's* Accounts, for Diſburſements among the *Indians* at *Aughwick*, that they found a Balance of *Sixty-nine Pounds Nineteen Shillings*, due from the Province to the ſaid *Croghan*, which they were of Opinion ought to be allowed by the Houſe.——To which Report the Houſe agreed.

A Petition from *Jonathan Mifflin*, of the City of *Philadelphia*, Merchant, praying to be appointed Treaſurer of this Province; and promiſing to apply the whole Profits, ariſing to him from the ſaid Office, to the Uſe of the Province Hoſpital; was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Speaker informed the Houſe, " That, ſince the laſt Sitting, he had fully conſidered the Queſtion concerning the Speaker of this Houſe having a Right to give his Vote as circumſtanced in the Caſe of *Spencer Trotter*; and although by depriving himſelf of his Vote in this Caſe, he gave up more than a Speaker of the Houſe of Commons, in Proportion to the Number which compoſe that auguſt Body, and the Aſſemblies of this Province. Nevertheleſs, conſidering the Caſe in *Townſhend's* Collections, Page 321, *& ſeq.* ſo exactly agreeing with the Call of the Houſe for the Speaker's Vote in the Caſe of *Spencer Trotter*, he could not think it either ſafe or honourable to act in Oppoſition

1754. December 4. to it, and therefore was clearly of Opinion, *that he was forecloſed of his Voice by taking of that Place which it had pleaſed them to impoſe upon him, and that he was to be indifferent for both Parties.*"

The Petitions from *Samuel Preſton Moore* and *Jonathan Mifflin* were again read, and conſidered; and, after ſome Debate thereon, it was

Reſolved, That *Samuel Preſton Moore* be the Treaſurer of this Province for the current Year.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 5. The Governor's Speech was again read, and conſidered, and the further Conſideration thereof was referred to the Afternoon.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

A Petition from *John Jones*, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioner is informed, that the Time limited by Act of Aſſembly, for the preſent Officer for viewing and branding Flour to continue in his ſaid Office, expired in *Auguſt* laſt; that the Petitioner having had ſome Experience in the Quality of Flour, humbly conceives himſelf a proper Judge thereof; therefore prays that this Houſe would appoint him to execute the aforeſaid Office; or, if this Houſe ſhould think it more expedient for two Perſons to perform the ſame, that *Daniel Morris* may be nominated with the Petitioner. *Ordered to lie on the Table.*

A Petition from *Daniel Morris*, of the County of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Time limited for the preſent Officer for viewing and branding of Flour to continue in his ſaid Office expired in *Auguſt* laſt; that the Petitioner has had many Years Experience in the Quality of Flour, and conceives himſelf a competent Judge thereof; therefore humbly prays that this Houſe would nominate him to the beforementioned Office; or, if this Houſe ſhould think it more expedient to have two Perſons to execute the ſame, that *John Jones* may be appointed with the Petitioner. *Ordered to lie on the Table.*

A Petition from *Stephen Shewell*, of the City of *Philadelphia*, Biſcuit-Baker, was preſented to the Houſe and read, ſetting forth, that the Petitioner is informed, that a new Officer is now about to be nominated for examining and branding of Flour; the Petitioner therefore prays that this Houſe would be pleaſed to appoint him to the ſaid Office. *Ordered to lie on the Table.*

The Houſe proceeded upon the Conſideration of the Governor's Speech; and after ſome Debate, it was

Reſolved, That the Sum of *Twenty Thouſand Pounds* be at this Time given to the King's Uſe; and that the ſame be ſtruck in Paper Bills of Credit, and ſunk by an Extenſion of the Exciſe Act for the further Term of Ten Years.

Reſolved, That *Twenty Thouſand Pounds* be now alſo ſtruck for the Exchange of ſuch Bills of Credit now current by Law within this Province as are torn and ragged.

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *Joſeph Gibbons*, *James Wright*, *John Wright*, *John Smith*, *Moſes Starr* and *James Burnſide* be a Committee to prepare and bring in a Bill for the Purpoſes mentioned in the foregoing Reſolves.

Reſolved, That, till the next Sitting of Aſſembly, this Houſe will, out of the Provincial Treaſury, allow ſuch reaſonable Charges as neceſſarily ariſe upon making a ſuitable Proviſion towards the Maintenance of thoſe *Indians* in our Alliance, who have taken Refuge within this Government.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 6. *Samuel Preſton Moore*, choſen Provincial Treaſurer on the Fourth Inſtant, attending, was called in, and acquainted therewith by the Speaker; and, after being referred to the Laws of this Province for Information in the Duty of his Office, he withdrew.

The Houſe taking into Conſideration the Governor's Meſſage of the Fourth Inſtant, relating to the *Indians* now at *Aughwick*;

Ordered, That a Draught of an Anſwer to the ſaid Meſſage be forthwith prepared at the Table; which being accordingly done, was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

And the ſame being tranſcribed, was again read; and it follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

Aſſembly's Anſwer to the Governor's Meſſage. WE have conſidered the Letters and Accounts laid before us by the Governor, relating to the *Indians* now at *Aughwick*, and are well ſatisfied with their Steadineſs in our Intereſt, and the Anſwer they have given to the Propoſals of the *French* to induce them to return to the *Ohio*.

We are confident the Treatment our *Indian* Allies have always received from this Province has great Weight with them, and that we have a large Share in their Affections, which we are willing to preſerve, by continuing to treat them with Juſtice, Humanity and Tenderneſs; we therefore, notwithſtanding the heavy Charge the Province has been

been at, and is like to be continued upon us, have unanimously resolved to defray such reasonable Charges as may accrue on the Support of those *Indians* till our next Meeting. As we apprehend the Governor will agree with us in the Necessity of regulating that Expence with all possible Oeconomy; and as *George Croghan* (whose Accounts we have allowed) seems resolved to remove from *Aughwick*, and the *Indians*, by that Means, will be left without any proper Person to take the necessary Care of providing for their Subsistance, we recommend it to the Governor's Consideration, whether it might not be more convenient for the *Indians* themselves, and less Expence to the Province, if they were invited to come nearer our Back Inhabitants, till, by Hunting, or otherwise, they may be able to subsist themselves with Safety."

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December 6, 1754.

And the foregoing Message being signed by the Speaker, by Order of the House;

Ordered, That *Joseph Stretch* and *Joseph Fox* do wait upon the Governor and deliver the same.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would take it into Consideration, and return an Answer to the House, if he found it required one.

Ordered, That *Evan Morgan*, *Joseph Stretch*, *Joseph Fox*, *Joshua Morris*, *Joseph Trotter*, *William Callender*, *Mahlon Kirkbride*, *Joseph Hamton*, *Thomas Cummings*, *Joseph Gibbons*, *James Wright*, *Peter Worral*, *John Wright*, *Joseph Armstrong*, *Moses Starr* and *James Burnside* be a Committee to inspect the Laws of this Province, and report which of them are expired, or near expiring, and ought to be re-enacted, with their Opinion what Amendments to them or others may be necessary; and likewise, that they examine the Votes of last Year, and bring forward such of the Bills then prepared, or ordered to be prepared, as they shall think necessary for the House to proceed upon at this Sitting.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment

An Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the Balance of *George Croghan's* Account, for Disbursements among the *Indians*, amounting to *Sixty-nine Pounds Nineteen Shillings*.

December 7.

The House taking into Consideration the Governor's Message, concerning the Maintenance of the *Indians* now at *Aughwick*;

Resolved, That the Sum of *One Hundred* and *Fifty Pounds* be now paid, out of the Provincial Treasury, into the Hands of the Honourable *Robert Hunter Morris*, Esq; Lieutenant-Governor of this Province, to be by him laid out towards defraying such reasonable Charges, as necessarily arise upon making a suitable Provision towards the Maintenance of those *Indians* in our Alliance, who have taken Refuge within this Government.

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.*

Adjournment

The House met pursuant to their Adjournment.

December 9.

The Sheriff of the County of *Philadelphia* attending, was called in, and made a Return to the House, by which it appeared, that *James Pemberton* was chosen on the Seventh Instant a Representative to serve in Assembly for the said County, in the Room of *Edward Warner*, deceased.

Post Meridiem

Two Letters to the Governor from *George Croghan*, and a Copy of a Speech made by the *Indians* of the *Six Nations* residing at *Aughwick*, in Answer to a Message sent them from the Governor, were laid before the House by the Speaker; who informed the House, that they were just received by Express, and put into his Hands by the Secretary.

And the said Letters and Speech were read, and ordered to lie on the Table for the Perusal of the Members.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment

A Bill for striking the Sum of *Forty Thousand Pounds* in Bills of Credit, and for granting *Twenty Thousand Pounds* thereof to the King's Use, and to provide a Fund for sinking the same; and for applying the Remainder to the Exchange of ragged and torn Bills now current in this Province, was brought in by the Committee appointed to prepare the same, and read the first time, and ordered a second Reading.

December 10.

A Copy of a Message from the Governor to the *Indians* at *Aughwick*, notifying his Appointment to the Government of this Province, was laid before the House, by the Secretary, and read.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment

A Petition from *William Clark*, of the City of *Philadelphia*, Cooper, praying to be appointed the principal Culler of Staves, was presented to the House and read, and

Post Meridiem

Ordered to lie on the Table.

A Bill

1754. A Bill for aſcertaining the Fineneſs of wrought Gold and Silver, and preventing Frauds and Abuſes in Manufactures made thereof; and

December 10. A Bill, entituled, *An Act concerning Apprentices and Servants*, &c. Alſo

A Bill, entituled, *An Act that all written Inſtruments ſhall be in the* Engliſh *Language*; were brought into the Houſe by the Committee of Laws, and ſeverally read the firſt time, and ordered a ſecond Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 11. *James Pemberton*, returned a Repreſentative for the County of *Philadelphia*, appearing in the Houſe, took and ſubſcribed the Qualification by Law appointed to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

The Bill for Striking the Sum of *Forty Thouſand Pounds* in Bills of Credit, and for granting *Twenty Thouſand Pounds* thereof to the King's Uſe, and to provide a Fund for ſinking the ſame, and for applying the Remainder to the Exchange of ragged and torn Bills now current in this Province, was read the ſecond time, and ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem A Bill, entituled, *An Act to puniſh the Counterfeiters of Foreign Coins, or the Bills of Credit of the neighbouring Colonies, current within this Province*, was brought into the Houſe by the Committee of Laws, and read the firſt time, and ordered a ſecond Reading.

The Bill concerning Apprentices and Servants was read the ſecond time, by Paragraphs, and debated; and, after ſome Time ſpent therein, was recommitted to the Committee of Laws, for Amendment.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 12. The Governor's Speech being again read, and conſidered;

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *John Wright*, *Joſeph Armſtrong*, *Moſes Starr* and *James Burnſide* be a Committee to prepare a Draught of an Anſwer to the ſame.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'A CONTAGIOUS Diſtemper was, this Summer, introduced into this City by the coming up of ſickly Veſſels, and landing diſtempered Perſons, and their infected Goods; and though every Thing the Government could legally do, was done, to prevent its Introduction or Spreading, yet the Meaſures taken did not prove effectual. The Diſorder, I am informed, was chiefly confined to the *Germans*, and thoſe who were obliged to be much with them, and is now abated.

'But Diſtempers of that Kind may hereafter be more univerſal, and more fatal, I therefore think this Matter worthy your Conſideration, and recommend it to you to reviſe the Laws now in being relating to ſickly Veſſels and Paſſengers, and to make Proviſion for preventing the ill Effects that may ariſe from ſuch for the future, and alſo more effectually to prevent the Spreading of any infectious Diſorder that may be introduced into this City and Province.

December 12, 1754. *ROBERT HUNTER MORRIS.*"

The Secretary informed the Houſe, that if they required to ſee the Doctors Reports, or any other Papers relating to the Matters recommended in the foregoing Meſſage, they ſhould be delivered to them.

The Houſe took the Governor's laſt Meſſage into Conſideration; and, after ſome Time ſpent therein, requeſted the Speaker to procure ſuch of the Papers, mentioned by the Secretary, as he ſhall think proper for the Conſideration of the Houſe.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Speech, reported the ſame to the Houſe, and it was read, agreed to, with ſome Amendments, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

Aſſembly's Anſwer to the Governor's Speech.

WE have deliberately conſidered the Governor's Speech of the Third Inſtant, with the Letter from Sir *Thomas Robinſon*, one of his Majeſty's principal Secretaries of State, and the other Letters and Papers he has been pleaſed to lay before us. And as we account it our indiſpenſable Duty to do every Thing in our Power to comply with his Majeſty's Royal Orders, or that may contribute to the Welfare of the People we repreſent, we have chearfully, and almoſt unanimouſly, reſolved to grant *Twenty Thouſand Pounds* for the King's Uſe; for the Raiſing and Sinking of which Sum, we have prepared a Bill, which will be laid before the Governor, for his Concurrence, with all poſſible Diſpatch.

Though we hope the Numbers of the *French* and their *Indian* Allies, mentioned in *George Croghan's* Letters, are full large, yet the uncommon Efforts they have made towards

wards obtaining a Poſſeſſion on that Part of his Majeſty's Dominions, are truly alarming, and dangerous to the *Britiſh* Intereſt in *North-America:* And we have good Reaſon to believe, the Sums granted the King by our late Aſſembly, had the then Governor been pleaſed to paſs the Bills offered to him for that Purpoſe, " might, in a great Meaſure, if not totally, have prevented the bad Situation of our Affairs at preſent," and have placed our Duty to the beſt of Kings, as we deſire it always ſhould appear, among his moſt loving and loyal Subjects; and, for this Reaſon, it is with Concern we find, by the above-mentioned Letter from the Secretary of State, " That it was with great Surprize the King had obſerved, in our late Governor's Anſwer to the Earl of *Holderneſſe*, he had been totally ſilent on that Part of His Majeſty's Orders which relate to a Concert with the other Colonies." But as we have great Confidence in our Governor, that he will at all Times afford us all good Offices and Protection, and will be pleaſed to repreſent us, and our Affairs, in a favourable Light, as we hope he may do with great Juſtice: So, on our Part, we ſhall not fail to contribute every Thing in our Power to anſwer all reaſonable Expectations from ſo young a Colony, ſo far as is conſiſtent with our Civil and Religious Liberties; beyond which, under ſo good a King, we are well aſſured nothing further will be aſked or expected from us. And in Lieu of the Governor's Juſtice and Protection, it will give us particular Pleaſure to make his Adminiſtration in this Province eaſy to himſelf, and honourable to all." 1754 *December* 1

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Joſeph Armſtrong* and *James Burnſide* wait upon the Governor with the ſame.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they delivered the ſame, according to Order. *Poſt Meridiem*

A Letter to the Speaker from *Conrad Weiſer*, containing an Account of his Diſburſements for ſome *Indians* who came down to his Houſe in *October* laſt, amounting to *Six Pounds Nineteen Shillings* and *Six-pence*, alſo deſiring ſome Allowance might be made him for his Trouble in his late Journey to *Aughwick*, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Bill, entituled, *An Act for ſtriking the Sum of* Forty Thouſand Pounds *in Bills of Credit, and for granting* Twenty Thouſand Pounds *thereof to the King's Uſe, and to provide a Fund for ſinking the ſame; and for applying the Remainder to the Exchange of ragged and torn Bills now current in this Province*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Evan Morgan* and *Peter Worral* wait upon the Governor with the ſaid Bill, and deſire his Concurrence thereto.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Bill for ſtriking the Sum of *Forty Thouſand Pounds* in Bills of Credit, and for granting *Twenty Thouſand Pounds* thereof to the King's Uſe, and to provide a Fund for ſinking the ſame; and for applying the Remainder to the Exchange of ragged and torn Bills now current in this Province, report, that they had delivered the ſame, according to Order, and that the Governor was pleaſed to ſay, he would take it into Conſideration, and give it all the Diſpatch the Nature of the Caſe required. *December* 13.

A Petition from divers Inhabitants of the County of *Northampton* was preſented to the Houſe and read, ſetting forth, that the Stealing of Horſes is become very frequent in ſaid County, owing, as the Petitioners conceive, to the Smallneſs of the Puniſhment inflicted by Law for that Crime; the Petitioners therefore pray, that this Houſe would take the Premiſes into Conſideration, and paſs an Act to puniſh Horſe-ſtealers with Death.

Ordered to lie on the Table.

A Bill to prevent the Exportation of bad or unmerchantable Staves, Heading, Shingles, Boards and Timber, was brought into the Houſe by the Committee of Laws, and read the firſt time, and ordered a ſecond Reading.

The Bill concerning Apprentices and Servants was brought in by the Committee to whom it was recommitted for Amendment, without any Alteration, the Committee deſiring firſt to have the Opinion of the Houſe on ſundry Parts thereof; and the ſaid Bill being read and conſidered, was referred to farther Conſideration.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *Jacob Lewis*, of the City of *Philadelphia*, Carpenter, was preſented to the Houſe and read, ſetting forth, that the Petitioner is informed, that there is a Bill now before the Houſe, in which it is propoſed to appoint an Officer for the Inſpecting and Meaſuring all the Timber ſhipped from this City; that the Petitioner is ſkilled in Timber, and in Menſuration; therefore prays to be appointed the Officer aforeſaid. *December* 14.

Ordered to lie on the Table.

A Petition from *Robert Callender* and *Michael Teaff* was preſented to the the Houſe

1754. *December* 14. and read, ſetting forth, that the Petitioners in *Auguſt* laſt laid before the Aſſembly an Account of ſundry Goods by them delivered to the *Half-King* and other *Indians*, as is particularly ſet forth in a Petition annexed to the ſaid Account; the Petitioners therefore pray, that this Houſe would be pleaſed to take the ſaid Petition and Account into Conſideration, and do therein what they in their Wiſdom ſhall think fitting.

Ordered to lie on the Table.

The Speaker laid before the Houſe the Reports of the Doctors, and ſundry other Papers, relating to the *Palatines* lately imported into this City; alſo an Extract of a Letter from Governor *Shirley* to Governor *Morris*; which Papers, the Speaker informed the Houſe, were put into his Hands by the Secretary, for the Conſideration of the Houſe.

And the ſaid Papers being read, were ordered to lie on the Table, for the Peruſal of the Members.

An Account from *William Anderſon*, for ſundry Things furniſhed the *Indians* at the Treaty held at *Carliſle*, amounting to *Seven Pounds*, was laid before the Houſe and read, and referred to the Committee of Accounts.

An Account from *John Harris*, of *Paxton*, for the Burial of the *Half-King*, and other Expences paid by him for the Maintenance of the ſaid *Half-King's* Family, amounting to *Ten Pounds Fifteen Shillings* and *Four-pence*, was laid before the Houſe and read, and referred to the Committee of Accounts.

Ordered, That the Committee of Accounts do ſettle with the Executors of the late Treaſurer, and report what Balance they find due from his Eſtate to the Province.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

Adjournment *December* 16. *Poſt Meridiem*. The Houſe met purſuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

Adjournment *December* 17. A Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers, in any one Ship or Veſſel; and for preventing the Spreading of contagious Diſtempers within this Province, was brought into the Houſe by the Committee of Laws, and read the firſt time, and ordered a ſecond Reading.

Joſeph Trotter, one of the Members of this Houſe, repreſented to the Houſe, that he having acted as a Truſtee of the *Province Iſland* upwards of Twelve Years paſt, and being now, by Reaſon of his Age, become unable to execute the ſaid Truſt, he therefore moved to be diſcharged therefrom, and that another be appointed in his Place.—Which Motion was referred to further Conſideration.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Committee of Accounts reported on the two Accounts of *John Harris*, that they find a Balance of *Two Pounds Fifteen Shillings* and *Five-pence*, due to the ſaid *Harris* for Caſh paid by him to *William Gray*, *James Mitcheltree* and *James Andrews*, for their Expences in bringing an *Indian* Priſoner, in the Year 1751, down to *Lancaſter*; alſo a Balance of *Ten Pounds Fifteen Shillings* and *Four-pence*, due to the ſaid *Harris* for his Expences, and *Five Pounds* for his Trouble, *&c.* in burying the *Half-King*, and maintaining ſundry *Indians* that were with him.

The Committee of Accounts alſo reported that they were of Opinion, *William Anderſon's* Account, for ſundry Things furniſhed the *Indians* at *Carliſle*, ought to be allowed by this Houſe.

The Committee of Accounts likewiſe reported, that they had examined *Conrad Weiſer's* Accounts, and were of Opinion, that the Sum of *Ten Pounds Seven Shillings* and *Four-pence* was due to him, in full of all Demands from this Province.

The Houſe agreed to the three above Reports of the Committee of Accounts.

The Speaker having repreſented, and ſhewn to the Houſe, that he had, ſince the laſt Sitting of Aſſembly, as the Treaſurer was out of Caſh, advanced the Sum of *Eighty Pounds* to *George Croghan*, towards the Maintenance of the *Indians* at *Aughwick*, which he had not as yet been repaid;

Ordered, That the Executors of the late Treaſurer do pay the ſaid Sum of *Eighty Pounds* to the Speaker, or his Order, out of the Money in their Hands due to the Province.

The Speaker laid before the Houſe an Account of ſundry Expences paid by him for the Service of the Houſe, amounting to *Twelve Pounds* and *Six-pence*, which was read, and referred to the Committee of Accounts.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *December* 18. The Governor, by the Secretary, ſent down the Bill for granting *Twenty Thouſand Pounds* to the King's Uſe, *&c.* with a written Meſſage, together with ſundry Papers therein referred to, which were read; and the Meſſage is as follows, *viz.*

A Meſſage from the Governor to the Aſſembly.

GENTLEMEN,

'I HAVE taken your Bill into Conſideration, which, among other Things, propoſes the Emitting of *Twenty Thouſand Pounds* for the King's Uſe, in Paper Bills, to

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'to be current for Twelve Years; to which I cannot by any Means agree, as I am forbid, by a Royal Instruction, to pass any Law for creating Money in Paper Bills, without a suspending Clause, that it shall not take Effect till his Majesty's Pleasure be known: And to shew you, Gentlemen, that I do not entirely rely upon my own Judgment as to the Validity of that Instruction, I herewith send you the Opinion of Sir *Dudley Ryder*, the late Attorney-General and present Chief Justice of *England*; by which you may see, that upon as favourable a State of the Case as could have been drawn up by your own House he is clearly of Opinion, that the Instruction is most certainly in Force, and binding upon me; however, as the Act of Parliament restraining the Four Eastern Governments from emitting Paper Currency, gives them a Power to strike Bills of Credit, in case of Emergency, I hope I shall be justified in thinking the Reason holds good as to us, who are in the greatest Danger, being already invaded by the *French*, and in immediate Expectation of Outrage from the *Indians* in their Alliance; I will therefore join with you in any Bill for striking what Sum you shall think our pressing Occasions demand, provided a Fund be established for sinking the same in five Years.

'I am exceedingly obliged to the House for their kind Sentiments with regard to me, and shall make it my peculiar Care so to act as to merit the Continuance of their good Opinion; and can truly say, it is no small Mortification to me to be obliged to differ in Opinion from the Representatives of the Province, who, I am convinced, act from upright Motives, and what they esteem to be its true Interest; but would willingly hope, when they come to reflect on the Obligations I am under to pay Obedience to his Majesty's Instructions, that they will not press me to disobey them; especially when they consider, that should I disregard my own Honour and Safety in passing a Bill circumstanced as this is, there is great Danger of its being disapproved by his Majesty, and what Loss and Confusion such an Event would cause in the Province, by the Paper Bills becoming of no Value, I need not particularly mention.

'You will observe, from Governor *Sharpe's* Letter, which I Yesterday received, and now lay before you, that the *French* and *Indians* upon the *Ohio* are much more numerous than we apprehended, making in the whole Two Thousand Men, besides what they have already on the Lake *Erie*; and as they have got together such a considerable Force at this inhospitable Season, we cannot make a Doubt but they will be much stronger in the Spring.

'On the Information mentioned in that Letter, we may likewise expect an Attack upon our Back Settlements, the *French* having sent a Detachment of the *Arundack Indians* upon that Service, and as we have no Force to resist them, they will be at Liberty to commit what Cruelties they please upon the defenceless People that inhabit the remote Parts of this Province.

'Be pleased therefore, Gentlemen, when you frame another Bill, to consider whether it would not be better, on all Accounts, to augment the Sum proposed to be given, since this will go but a very little Way towards expelling the *French* from our Borders and defending our Frontiers from the Incursions of their *Indians*.

December 18, 1754. *ROBERT HUNTER MORRIS.*"

And the State of the Case, and Sir *Dudley Ryder's* Opinion, referred to in the foregoing Message, are as follow, *viz.*

CASE.

State of the Case, *March* 4. 1680.

'KING *CHARLES* II, by Letters Patent, under the Great Seal of *England*, granted a Tract of Land, in *America*, unto WILLIAM PENN, Esq; his Heirs and Assigns, and made him and them the true and absolute Proprietaries thereof, saving always to the Crown, the Faith and Allegiance of the said WILLIAM PENN, his Heirs and Assigns, and of the Tenants and Inhabitants of the Premises, and saving also unto the Crown, *the Sovereignty* of the said Country.

'To hold to, and to the Use of, the said WILLIAM PENN, his Heirs and Assigns, for ever.

'To be held of his said Majesty, his Heirs and Successors, Kings of *England*, as of the Castle of *Windsor*, in free and common Soccage, by Fealty only, for all Services, and not *in Capite*, or by Knights Service.

'Rendering two Beaver Skins yearly, and the fifth Part of all Gold and Silver Ore.

'And his Majesty thereby erected the said Country into a Province, and Seigniory, and called it *Pennsylvania*.

'And thereby granted free, full and absolute Power unto the said WILLIAM PENN and his Heirs, "and to his and their Deputies and Lieutenants, for the good and happy Government of the said Country, to ordain, make, enact, and under his and their "Seals to publish, any Laws *whatsoever*, for the Raising of Money for the public Use "of the said Province, and for any other End, appertaining either to the public State,

" Peace

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" Peace or Safety of the ſaid Country, or unto the private Utility of particular Perſons, according to their beſt Diſcretions, by and with the Advice, Aſſent and Approbation of the Freemen of the ſaid Country, or the greater Part of them, or of their Delegates or Deputies, whom, for the Enacting of the ſaid Laws, when and as often as Need ſhall require, We will, that the ſaid WILLIAM PENN, and his Heirs, ſhall aſſemble, in ſuch Sort and Form as to him and them ſhall ſeem beſt; and the ſaid Laws duly to execute unto and upon all People within the ſaid Country, and Limits thereof."

' Then, there follow other Powers, to appoint Judges, Magiſtrates, *&c.* And afterwards, the Charter contains, in ſundry different Parts, the other Clauſes, here following, *viz.*

" Which Laws, ſo as aforeſaid to be publiſhed, Our Will and Pleaſure is, and ſo We injoin, require and command, ſhall be moſt abſolute and available in Law, and that all the Liege People and Subjects of Us, Our Heirs and Succeſſors, do obſerve and keep the ſame inviolably in thoſe Parts, ſo far as they concern them, under the Pain therein expreſſed, or to be expreſſed: Provided, nevertheleſs, that the ſaid Laws be conſonant to Reaſon, and be not repugnant or contrary, but, as near as conveniently may be, agreeable to the Laws, Statutes and *Rights* of this our Kingdom of *England*.

" And Our further Will and Pleaſure is, that the Laws for regulating and governing of Property, within the ſaid Province, as well for the Deſcent and Enjoyment of Lands, as likewiſe for the Enjoyment and Succeſſion of Goods and Chattels; and likewiſe as to Felonies, ſhall be and continue the ſame, as they ſhall be, for the Time being, by the general Courſe of the Law, in Our Kingdom of *England*, *until* the ſaid Laws ſhall be altered by the ſaid WILLIAM PENN, his Heirs or Aſſigns, and by the Freemen of the ſaid Province, their Delegates or Deputies, or the greater Part of them.

" And, to the End the ſaid WILLIAM PENN, or his Heirs, or other the Planters, Owners or Inhabitants of the ſaid Province, may not, at any Time hereafter, by Miſconſtruction of the Powers aforeſaid, through Inadvertency, or Deſign, depart from the Faith and due Allegiance which, by the Laws of this our Kingdom of *England*, they, and all Our Subjects, in Our Dominions and Territories, always owe unto Us, Our Heirs and Succeſſors, by Colour of any Extent, or Largeneſs of Powers, hereby given, or pretended to be given, or by Force or Colour of any Laws, hereafter to be made, in the ſaid Province, by Virtue of any ſuch Powers, Our further Will and Pleaſure is, that a Tranſcript, or Duplicate, of all Laws, which ſhall be ſo as aforeſaid made and publiſhed within the ſaid Province, ſhall, within Five Years after the Making thereof, be tranſmitted and delivered to the Privy Council, for the Time being of Us, Our Heirs and Succeſſors; and if any of the ſaid Laws, within ſix Months, after that they ſhall be ſo tranſmitted and delivered, be declared by Us, Our Heirs or Succeſſors, in Our or their Privy Council, *inconſiſtent with the Sovereignty*, or lawful Prerogative of Us, our Heirs or Succeſſors, *or contrary to the Faith and Allegance* due, by the legal Government of this Realm, from the ſaid WILLIAM PENN, or his Heirs, or of the Planters, and Inhabitants of the ſaid Province; and that, thereupon, any of the ſaid Laws ſhall be adjudged and declared to be void, by Us, Our Heirs or Succeſſors, under Our or their Privy Seal, that then, and from thenceforth, ſuch Laws, concerning which ſuch Judgment and Declaration ſhall be made, ſhall become void; otherwiſe the ſaid Laws, ſo tranſmitted, ſhall remain and ſtand in full Force, according to the true Intent and Meaning thereof."

Seventh and Eighth of WILLIAM III, *Anno* 1695.

' The Act of Parliament for preventing Frauds and regulating Abuſes in the Plantation Trade, contains many Regulations, and amongſt others, the following.

' That all Governors, nominated and appointed by any Perſons, or Proprietaries, claiming any Right or Propriety in any Iſlands or Tracts of Land upon the Continent of *America*, by Charter or Letters Patent, who ſhall be entitled to make ſuch Nomination, ſhall be allowed and approved of, by His Majeſty, his Heirs and Succeſſors, and ſhall take the Oaths enjoined by that, or any other Act, to be taken by the Governors or Commanders in Chief in other his Majeſty's Colonies and Plantations, before their entering upon their reſpective Governments, under the like Penalty his Majeſty's Governors and Commanders in Chief were, by the ſaid Acts, liable to.

Sixth of ANN, *Anno* 1707.

' The Act of Parliament for aſcertaining the Rates of *Foreign Coins*, in her Majeſty's Plantations in *America*, recites, that for remedying the Inconveniencies which had ariſen from the different Rates at which the ſame Species of *Foreign Silver Coins* did paſs, in her Majeſty's ſeveral Colonies and Plantations in *America*, her Majeſty had iſſued her Proclamation of the Eighteenth of *June*, 1704, to ſettle and aſcertain the Currency of *Foreign Coigns*, in the Manner and Words there following.

' And

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‘ And further recites, that, notwithstanding the said Proclamation, the same indirect ‘ Practices, as had been therein mentioned, were still carried on within some of the ‘ said Colonies or Plantations, and the Money thereby drawn from one Plantation to ‘ another in Prejudice to the Trade of her Majesty's Subjects.

‘ Wherefore, for the better enforcing the due Execution of the said Proclamation ‘ throughout all the said Colonies and Plantations, and for the more effectual remedying ‘ the said Inconveniencies thereby intended to be remedied;

‘ It was enacted, that if any Person, within any of the said Colonies or Plantations, ‘ as well those under Proprietaries and Charters, as under her Majesty's immediate ‘ Commission and Government, should, after the First of *May*, 1709, for the Discharge ‘ of any Contracts or Bargains, to be thereafter made, account, receive, take or pay ‘ any of the several Species of *Foreign Silver Coins*, mentioned in the said recited Pro- ‘ clamation, at any greater or higher Rate than at which the same was thereby regulated, ‘ settled, and allowed to be accounted, received, taken or paid, every such Person should ‘ suffer six Months Imprisonment without Bail or Mainprize, any Law, Custom or ‘ Usage, in any of the said Colonies or Plantations to the contrary notwithstanding; ‘ and should likewise forfeit *Ten Pounds* for every such Offence, one Moiety to the ‘ Crown, the other Moiety to such Person as should sue for the same, to be recovered ‘ in Manner therein mentioned.

‘ Under a Proviso and Declaration, that nothing in the recited Proclamation, or in ‘ that Act contained, should extend to compel any Person to receive any of the said ‘ Species of *Foreign Silver Coins* at the respective Rates in the said Proclamation men- ‘ tioned.

‘ And, under another Proviso and Declaration, that nothing in that Act contained ‘ should extend, or be construed to restrain her Majesty from regulating and settling ‘ the several Rates of the said Species of Foreign Silver Coins within any of the said Co- ‘ lonies or Plantations, in such other Manner, and according to such other Rates and ‘ Proportions, as her Majesty, by her Proclamation for that Purpose to be issued, ‘ should, from Time to Time, judge proper and necessary; or from giving her Royal ‘ Assent to any Law thereafter to be made in any of the said Colonies or Plantations, for ‘ settling and ascertaining the current Rates of such Coins within the said Colonies or ‘ Plantations; but that such further Regulations might be made, and such Assent given, ‘ in as full and ample Manner, to all Intents and Purposes, as the same might have ‘ been done in case that Act had not been made, and no otherwise, any Thing therein ‘ before contained to the contrary notwithstanding.

‘ It has been usual in sundry of the Colonies, on the Continent in *America*, to print ‘ and issue Paper Bills of Credit, and to oblige Persons (by Acts passed there) to receive ‘ such Bills in Payment, at the Rate or Sum mentioned in such Bills; and some such ‘ Bills have been issued by Acts of Assembly in *Pennsylvania*.

‘ In some Colonies, the Value of those Paper Bills of Credit (being payable at distant ‘ Times, and the Fund not regularly applied) has miserably sunk; but that has not ‘ been the Case in *Pennsylvania* in particular.

About 1740,

‘ Complaints were made to the House of Commons, of great Quantities of Paper ‘ Bills of Credit, or Paper Money, issued in *some* of the *American* Colonies (not in *Penn-* ‘ *sylvania* in particular) and of Mischiefs arising from the same; whereupon the House ‘ of Commons addrest the Crown, to issue Instructions, and the Lords Justices did issue ‘ circular Instructions to *all* the *American* Governors, as well those acting immediately ‘ under his Majesty, as those acting under Proprietaries.

‘ And the Instruction then sent to Colonel *Thomas* (who was then Deputy Governor ‘ of *Pennsylvania*) was in the following Words, *viz.*

By the Lords Justices, *Additional* Instruction *to* George Thomas, *Esq; Deputy-Governor of his Majesty's Province of* Pennsylvania, *in* America; Or, to the Commander in Chief of his Majesty's Province, for the Time being. *Given at* Whitehall, *the Twenty-first Day of* August, 1740, *in the Fourteenth Year in his Majesty's Reign.*

August 21 1740.

‘ WHEREAS an Act of Parliament was passed, in the Sixth Year of her late Ma- ‘ jesty Queen *ANNE*, entituled, *An Act for ascertaining the Rates of Foreign Coins,* ‘ *in her Majesty's Plantations in* America; and whereas Complaints have been made, ‘ that the said Act has not been observed, as it ought to have been, in many of his Ma- ‘ jesty's Colonies and Plantations in *America*; by Means whereof many indirect Practices ‘ have grown up, and *various and illegal Currencies have been introduced*, in several of the ‘ said Colonies and Plantations, *contrary to the true Intent and Meaning of the said Act*, ‘ and to the Prejudice of the Trade of his Majesty's Subjects. In Consequence of such ‘ Complaints, an humble Address was presented, the last Sessions, by the House of Com- ‘ mons, to his Majesty. “ That he would be graciously pleased to require and com- “ mand the respective Governors of his Colonies and Plantations in *America*, *effectually*

1754. December 18. " *to obſerve the ſaid Act of the Sixth of Queen* ANNE." It is, therefore, his Majeſty's ' Royal Will and Pleaſure, and you are, hereby, ſtrictly required and commanded to ' take the moſt effectual Care, for the future, that the ſaid Act be punctually, and *bona* ' *Fide*, obſerved, and put in Execution, according to the *true Intent* and Meaning thereof. ' And, to the End that his Majeſty's Commands herein may be fully made known to ' all his Subjects within your Government, and that none of them may pretend Igno- ' rance thereof, you are, hereby, further required and commanded to publiſh this ' Inſtruction, in ſuch Manner as may beſt anſwer his Majeſty's gracious Intentions ' herein ſignified.

' And whereas many and great Inconveniencies have ariſen in ſome of his Majeſty's ' Colonies and Plantations in *America*, by paſſing Laws, for ſtriking Bills of Credit, ' and iſſuing out the ſame, in Lieu of Money, making it obligatory on all Perſons to ' take ſuch Bills, in Payment of Debts, Dues and Demands; *whereby the good Intention* ' *of the aforementioned Act*, of the Sixth of her late Majeſty Queen *ANNE*, " For " aſcertaining the Rates of *Foreign Coins* in her Majeſty's Plantations in *America*," ' *has been fruſtrated*, and a great Diſcouragement has been brought on the Commerce ' of the Kingdom, by occaſioning a Confuſion in Dealings, and a Leſſening of Credit, ' in thoſe Parts. And whereas an humble Addreſs was preſented, the laſt Seſſion, by ' the Houſe of Commons to his Majeſty, to the Effect following, *viz.*

' That he would be graciouſly pleaſed to require and command the reſpective Go- ' vernors of his Majeſty's Colonies and Plantations in *America*, not to give Aſſent to, ' or paſs, any Act, whereby Bills of Credit may be ſtruck, or iſſued, in Lieu of Money, ' *without a Clauſe be inſerted in ſuch Act, declaring that the ſame ſhall not take Effect,* ' *until the ſaid Act ſhall be approved by his Majeſty.* It is, therefore, his Majeſty's Will ' and Pleaſure, and you are hereby required, *upon Pain of his Majeſty's higheſt Diſplea-* ' *ſure*, not to give your Aſſent to, or paſs, *any Act*, whereby Bills of Credit may be ' iſſued, in Lieu of Money, *without a Clauſe be inſerted* in ſuch Act, declaring that the ' ſame ſhall *not take Effect*, until the ſaid Act ſhall be approved by his Majeſty, his ' Heirs or Succeſſors.

Anno 1748. ' Since the ſaid Inſtruction was given (to Colonel *Thomas*, but directed, as before ' ſtated) a new Lieutenant-Governor, Mr. *Hamilton*, has been appointed for *Pennſyl-* ' *vania*, by the Proprietaries, and approved by the Crown.

' The beforementioned particular additional Inſtruction has not been repeated to ' Mr. *Hamilton*, any otherwiſe than as he is become now the Lieutenant-Governor of ' *Pennſylvania*, for the Time being.

' But upon Mr. *Hamilton's* being approved for Lieutenant-Governor, the Crown iſſued ' its general Inſtructions, and, amongſt other Things, ordered, that he ſhould take a ' ſolemn Oath, to do his utmoſt, that all the Clauſes, Matters and Things, contained ' in the ſaid Act of Sixth of Queen *ANNE*, ſhould be punctually, and *bona Fide*, ob- ' ſerved, according to the true Intent and Meaning thereof. — Which Oath he accord- ' ingly took.

' Beſides this, on the Crown's approving Mr. *Hamilton*, it was, on the Part of the ' Crown, required of him, and his Sureties entered into a Bond to his Majeſty, in ' *Two Thouſand Pounds* Penalty, conditioned *(inter alia)* " That if the ſaid *James Ha-* " *milton* ſhall, from Time to Time, and at all Times hereafter, ſo long as he ſhall con- " tinue Lieutenant-Governor of the ſaid Province, obſerve, perform and obey, all ſuch " Directions and Inſtructions, which now are, or ſhall at any Time be given, or ſent " to him, by his Majeſty, his Heirs and Succeſſors, or from any Perſon or Perſons, " now acting, or that hereafter ſhall act by Authority from his Majeſty, his Heirs and " Succeſſors, and *purſuant to*, and for the putting in Execution, the ſeveral Acts of " *Trade and Navigation*, relating to the Plantations, *viz.*"

' *An Act* paſſed 12th *CHARLES* II, entituled, *An Act for the Encouraging and* ' *Encreaſing the Shipping and Navigation.*

' Here a great many Acts of Parliament are enumerated, and amongſt them,

' An Act paſſed in the Sixth Year of the ſaid Queen's Reign, entituled, *An Act for aſcertaining the Rates of Foreign Coins in her Majeſty's Plantations in* America.

" And all other Acts of Parliament, now in Force, or that hereafter ſhall be made, re- " lating to the Plantation Trade; and ſhall do and perform all ſuch Matters and Things, " as the Governors of his Majeſty's Plantations, by any Act of Parliament made, or to " be made, ſhall be obliged or enjoined to do and perform; and ſhall, before his enter- " ing on the ſaid Government, take the Oaths enjoined to be taken by the Governors " and Commanders in Chief of other his Majeſty's Colonies and Plantations, before " their entering on their reſpective Governments, as directed by the Act of the Seventh " and Eighth Years of the late King *WILLIAM*, herein before-mentioned, *&c. &c.* " *&c.* Then to be void."

' Matters

1754. *December* 18.

'Matters ſtanding thus, the People in *Pennſylvania* have applied to Mr. *Hamilton*, 'their Lieutenant-Governor, to paſs a Law, for enlarging, or adding more to, the 'Sum which they, at preſent, have ſtanding out in Paper Money, or Bills of Credit, 'there.

'He ſuppoſing that a ſmall Sum, to be added to their preſent Quantity, may not 'produce any great Inconveniencies, would conſent to an Act for that Purpoſe, pro-'vided they inſert the *ſuſpending Clauſe*, that the Act ſhall have no Force, until con-'firmed by the Crown.

'But they inſiſt on paſſing the Act, *without any ſuch ſuſpending Clauſe*. —— Which 'he declines doing;

'As conceiving the Matter of *Money*, of *any* Sort or Kind, to be, in its Nature, Part 'of the *Prerogative* or *Sovereignty* of the Crown, and that he is bound by the Inſtruction 'which was given by the Lords Juſtices in 1740 to Colonel *Thomas*, or to the Com-'mander in Chief in *Pennſylvania*, *for the Time being*, and by his before-mentioned 'Oath and Bond, and by the Duty of his Office, to obſerve that Inſtruction, and not 'to paſs any Act, whereby Bills of Credit may be iſſued, in Lieu of Money, *without* '*inſerting the ſuſpending Clauſe*, and that it would be neither lawful, or ſafe, but an Of-'fence in him, to paſs any ſuch Act, without that ſuſpending Clauſe.

'On the other Hand, the People inſiſt on the Powers granted by the Charter, for 'paſſing *all* Laws *whatſoever*, as giving very ample Authority to him to paſs the Law 'which they deſire; and that the Crown having granted away ſuch very full Powers, 'cannot even upon an Addreſs from the Houſe of Commons reſume them again, or add 'further Limitations or Reſtrictions, than what are contained in the Charter; and, 'therefore, ſeem to think, that although his Majeſty might iſſue ſuch Inſtructions, to '*his own* immediate Governors, where there are no Charters, yet, that in *Pennſylvania*, 'where ſuch a Charter ſubſiſts, ſuch Inſtruction had no Force, even upon Colonel *Tho-'mas* himſelf (to whom the ſame was *immediately* directed) during *his* Government, and 'more clearly ſo, in the Caſe of the preſent Governor, Mr. *Hamilton*, to whom the 'ſame additional Inſtruction has not been given, any otherwiſe than as he is now be-'come Governor of *Pennſylvania* for the Time being.

'Mr. *Hamilton* is deſirous to oblige the People herein, if he may legally and ſafely 'do ſo.

And YOUR OPINION is deſired,

'*QUERE*. Whether Mr. *Hamilton*, Lieutenant-Governor of *Pennſylvania*, may 'legally and ſafely, and without committing any Offence, or Breach of his Oath 'or Bond, or of his Duty to the King, paſs, and give his Aſſent to, an Act of Aſſembly, 'whereby Bills of Credit may be iſſued in *Pennſylvania*, in Lieu of Money, without 'the ſuſpending Clauſe, before-mentioned, being inſerted therein?

'*I am of Opinion it is by no Means ſafe, or adviſeable, or conſiſtent with his Duty, to paſs ſuch Bills, without a ſuſpending Clauſe.*

Sir *D. Ryder's* Opinion.

November 30, 1753. D. RYDER."

The Bill for preventing the Importation of *Germans*, or other Paſſengers or Servants, in too great Numbers, *&c.* was read the ſecond time; and, after ſome Debate thereupon, the ſaid Bill was re-committed to the Committee who brought it in, for Amendment.

Ordered, That *James Pemberton* be added to the ſaid Committee, and to the Committee of Accounts.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

December 19.

Arthur Patterſon returned a Repreſentative for the County of *Lancaſter*, appearing in the Houſe, took and ſubſcribed the Qualification, by Law appointed, to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

The Governor's Meſſage ſent down with the Bill for granting *Twenty Thouſand Pounds* to the King's Uſe, *&c.* was again read, and conſidered, together with the Papers therein referred to; and, after ſome Debate, it was

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *George Aſhbridge*, *Arthur Patterſon*, *Calvin Cooper*, *David M'Connaughy*, *John Smith*, *Moſes Starr* and *James Burnſide* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of Yeſterday, reported the ſame to the Houſe; and it was read, Paragraph by Paragraph, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Governor, by the Secretary, ſent down to the Houſe a Letter from Sir *Thomas Robinſon*, one of his Majeſty's principal Secretaries of State, with a Meſſage in Writing, which were read, and are as follow, *viz.*

GENTLE-

1754. *December* 19 A Meſſage from the Governor to the Aſſembly.

GENTLEMEN,

'THE Secretary will lay before you a Letter I received laſt Night from Sir *Thomas Robinſon*, one of his Majeſty's principal Secretaries of State, notifying to me his Majeſty's gracious Intention to ſend two Regiments of Foot from *Ireland*, to be compleated in *America*, and to raiſe two others in this Country, to be commanded by his Excellency Governor *Shirley* and Sir *William Pepperell*, for the Defence of his Majeſty's juſt Rights and Dominions.

'His Majeſty will appoint a General Officer of Rank and Capacity to take upon him the Command in Chief of all his Forces in *North America*, who will ſoon be here with a Deputy Quarter-Maſter General, and a Commiſſary of the Muſters, in order to prepare every Thing for the Arrival of the Forces.——His Majeſty has been alſo graciouſly pleaſed to order Arms, Cloathing, and other Neceſſaries, to be ſent hither upon the preſent important Occaſion; and likewiſe Ordnance Stores and Officers, and Attendants belonging thereto.

'Such Proofs of his Majeſty's gracious and paternal Regard and Affection for the Welfare and Security of his Subjects in *North America* cannot fail to excite the warmeſt Returns of Duty and Gratitude in the Breaſt of every Man that regards his Country, his Family or himſelf.—And it gives me particular Pleaſure that we are now ſitting in General Aſſembly, as we have thereby not only an early Opportunity of teſtifying the grateful Senſe we have of his Majeſty's Care and Protection, but of exerting ourſelves in the Service of our Country at this important Conjuncture, and ſetting a proper Example to the other Colonies.

'You will obſerve by the Secretary of State's Letter, that it is his Majeſty's Pleaſure we ſhould contribute as far as we can to the having about Three Thouſand Men in Readineſs to enliſt; that we ſhould provide a Quantity of freſh Proviſions for the Troops, and Neceſſaries for the Officers that may have Occaſion to travel by Land, that the Orders to be iſſued by the Commander in Chief for quartering the Soldiers, and impreſſing Carriages, ſhould be carried into exact Execution, and that all Neceſſaries ſhould be provided for ſuch Troops as ſhall arrive or be raiſed within this Government.

'His Majeſty expects, that as the ſeveral Articles above mentioned are of a local and peculiar Nature, and ariſing entirely within this Government, that the Charge thereof ſhould be defrayed by his Subjects within the ſame.

'You will alſo obſerve, Gentlemen, that it is his Majeſty's Pleaſure, that ſuch Articles of Expence as are of a more general Concern, ſhould be ſupplied from a common Fund, to be eſtabliſhed for the Benefit of all the Colonies in *North America* collectively; for which Purpoſe, he has ordered me to recommend it to you, in the ſtrongeſt Manner, forthwith to raiſe as large a Sum as can be afforded, as the Contribution of this Province towards ſuch common Fund, to be employed proviſionally for the general Service of *North America*, until a Plan of general Union of his Majeſty's Northern Colonies, for their common Defence, can be perfected.

'It is ſo much the Intereſt of the Colonies in general, and of this in particular, to exert themſelves upon the preſent Occaſion, to co-operate with his Majeſty in repelling this Invaſion, and to do what is ſo juſtly expected from us, that I cannot doubt but you will immediately proceed to the Conſideration of the ſeveral Matters mentioned in the Secretary of State's Letter, and by making an ample Proviſion for the preſent Exigency, enable me to comply with the Royal Pleaſure, and carry his Majeſty's Commands into a ſtrict and ſpeedy Execution.

'As it may be neceſſary in the Courſe of this Expedition to impreſs Tradeſmen, Horſes and Carriages, into his Majeſty's Service, and to ſeize Proviſions of all Sorts, and other Neceſſaries; you will conſider whether a Law will not be neceſſary to ſettle and eſtabliſh the Wages or Hire to be paid for ſuch Tradeſmen, Horſes and Carriages, as may be ſo impreſſed, and the Price of ſuch Proviſions and other Neceſſaries as may be ſeized upon the preſent Occaſion, that no Diſputes may ariſe between the Civil and Military Officers, and that all poſſible Aſſiſtance may be given to thoſe that ſhall be employed in the public Service, without Injury to private Perſons.

December 19, 1754. *ROBERT HUNTER MORRIS.*"

SIR, *Whitehall, October* 26, 1754.

Sir *Thomas Robinſon's* Letter to the Governor.

'HAVING informed you, in my Letter of *July* 5th, that the King had under his Royal Conſideration, the State of Affairs in *North America*; I am now to acquaint you, that amongſt other Meaſures that are thought proper for the Defence of his Majeſty's juſt Rights and Dominions in thoſe Parts, the King has not only been pleaſed to order two Regiments of Foot, conſiſting of Five Hundred Men each, beſides commiſſioned and non-commiſſioned Officers, commanded by Sir *Peter Halkett* and Colonel *Dunbar*, to repair to *Virginia*, and to be there augmented to the Number of

Seven

'Seven Hundred each; but likewiſe to ſend Orders to Governor *Shirley* and Sir *William* 1754.
'*Pepperell*, to raiſe two Regiments, whereof they are reſpectively appointed Colonels, *December* 19.
'of One Thouſand Men each; and alſo to ſign Commiſſions for a Number of Officers
'to ſerve in the ſaid two Regiments, and who will forthwith repair to *North-America*
'for that Purpoſe.

'Whereas there will be wanting a conſiderable Number of Men to make up the de-
'ſigned Complements of the ſaid Four Regiments, it is his Majeſty's Pleaſure, that you
'ſhould be taking the previous Steps towards contributing, as far as you can, to have
'about Three Thouſand Men in Readineſs to be enliſted; and it is his Majeſty's In-
'tention, that a General Officer of Rank and Capacity, to be appointed to command
'in Chief all the King's Forces in *North-America*, a Deputy Quarter-Maſter-General,
'and a Commiſſary of the Muſters, ſhall ſet out as ſoon as conveniently may be, in or-
'der to prepare every Thing for the Arrival of the Forces above-mentioned from *Europe*,
'and for the Raiſing of the others in *America*.

'You will receive from that General, and the other Officers juſt mentioned, a full
'and exact Account of the Arms, Cloathing, and other Neceſſaries, to be ſent upon
'this important Occaſion; as likewiſe of the Ordnance Stores, and of the Officers and
'Attendants belonging thereto; all which being ordered for this Service are ſuch
'Proofs of his Majeſty's Regard for the Security and Welfare of his Subjects, in thoſe
'Parts, as cannot fail to excite you to exert yourſelf, and thoſe under your Care, to
'take the moſt vigorous Steps to repel your common Danger; and to ſhew, that the
'King's Orders, which were ſent you laſt Year by the Earl of *Holderneſſe*, and were
'renewed to you in my Letter of the Fifth of *July*, have at laſt rouzed that Emulation
'and Spirit which every Man owes, at this Time, to his Majeſty, the Public, and
'himſelf. The King will not therefore imagine, that either you, or the reſt of his
'Governors, will ſuffer the leaſt Neglect or Delay in the Performance of the preſent Ser-
'vice, now ſtrongly recommended to you, particularly with Regard to the following
'Points, *viz.*

'That you ſhould carefully provide a ſufficient Quantity of freſh Victuals, at the Ex-
'pence of your Government, to be ready for the Uſe of the Troops, at their Arrival.

'That you ſhould likewiſe furniſh the Officers, who may have Occaſion to go from Place
'to Place, with all Neceſſaries for travelling by Land, in caſe there are no Means of going
'by Sea: And that you ſhould uſe your utmoſt Diligence and Authority, in procuring
'an exact Obſervance of ſuch Orders as ſhall be iſſued, from Time to Time, by the
'Commander in Chief, for quartering the Troops, impreſſing Carriages, and providing
'all Neceſſaries for ſuch Forces as ſhall arrive, or be raiſed within your Government.

'As the Articles above-mentioned are of a local and peculiar Nature, and ariſing entirely
'within your Government, it is almoſt needleſs for me to acquaint you, that his Ma-
'jeſty will expect, that the Charge thereof be defrayed by his Subjects belonging to the
'ſame. But, with regard to ſuch other Articles, which are of a more general Concern
'it is the King's Pleaſure, that the ſame ſhould be ſupplied by a common Fund, to be
'eſtabliſhed for the Benefit of all the Colonies collectively in *North-America*; for which
'Purpoſe you will uſe your utmoſt Endeavours to induce the Aſſembly of your Province
'to raiſe forthwith as large a Sum as can be afforded, as their Contribution to this
'common Fund, to be employed, proviſionally, for the general Service of *North-Ame-*
'*rica* (particularly for paying the Charge of levying the Troops to make up the Com-
'plement of the Regiments above-mentioned) until ſuch Time as a Plan of general
'Union of his Majeſty's Northern Colonies, for their common Defence, can be per-
'fected.

'You will carefully confer, or correſpond, as you ſhall have Opportunities, upon
'every Thing relative to the preſent Service, with the ſaid General, Sir *William Pepperell*,
'and Governor *Shirley*, or either of them; and as it is the King's Intention to give all
'proper Encouragement to ſuch Perſons who ſhall engage to ſerve upon this Occaſion,
'you will acquaint all ſuch Perſons, in the King's Name, that they will receive Arms
'and Cloathing from hence, and that they ſhall be ſent back (if deſired) to their re-
'ſpective Habitations, when the Service in *America* ſhall be over.

'As the ſeveral Governors in all the King's Provinces and Colonies in *North-America*
'will receive, by this Conveyance, a Letter to the ſame Effect with this which I now
'ſend you, they will be prepared at the ſame Time to obey his Majeſty's Commands.—
'And I am to direct you to correſpond with all, or either of them, occaſionally, as you
'ſhall find it expedient for the general Service. I am,

SIR,

Your moſt obedient humble Servant,

THOMAS ROBINSON."

And the Secretary, addreſſing himſelf to the Chair, ſaid,

SIR,

" The Governor further commands me to inform the Houſe, that *Scarroyady* and

1754. *December* 19. " two other *Indians* are come to Town from *Aughwick*, in their Way to *Onondago*, " charged with a Meſſage from the Weſtern *Indians* to that Council; and that he re- " commends it to the Houſe to join with him in ſuch a Meſſage, by theſe People, to the " *Six Nations*, as may engage them at this critical Time to adhere firmly to the Intereſt " of his Majeſty and his Subjects, againſt the Encroachments of the *French*."

Ordered, That Candles be brought in.

And they were brought in accordingly.

The foregoing Meſſage from the Governor, with the Letter from Sir *Thomas Robinſon*, were again read; and, after ſome Time ſpent in conſidering the ſame, they were referred to further Conſideration.

Adjournment *December* 20. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Anſwer to the Governor's Meſſage of the Eighteenth Inſtant, being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

Aſſembly's Anſwer to the Governor's Meſſage of the 18th Inſtant. WE obſerve, with great Concern, our Governor apprehends himſelf " forbid by a Royal Inſtruction" from giving his Aſſent to the Bill for granting *Twenty Thouſand Pounds* to the King's Uſe, without a ſuſpending Clauſe, that it ſhall not take Effect till his Majeſty's Pleaſure be known.

Such a ſuſpending Clauſe, we apprehend, would render that Grant entirely ineffectual as we are now circumſtanced, if we had no other Objection to it, and therefore can by no Means agree to inſert it in our Bill.

But the Governor is pleaſed to ſay, " as the Act of Parliament reſtraining the Four Eaſtern Governments from emitting Paper Currency, gives them a Power to ſtrike Bills of Credit in caſe of Emergency, he hopes he ſhall be juſtified in thinking the Reaſon holds good as to us, who are (as he thinks) in the greateſt Danger; and therefore he will join with us in any Bill for ſtriking what Sum we ſhall think our preſſing Occaſions demand, provided a Fund be eſtabliſhed for ſinking the ſame in five Years."

As the Governor does us the Juſtice to acknowledge, that he is convinced the Repreſentatives of the Province act from upright Motives, and what they eſteem to be its true Intereſt, he is alſo pleaſed to declare, " it is no ſmall Mortification to himſelf, to be " obliged to differ inOpinion from us, and hopes, when we reflect on the Obligations he " is under to pay Obedience to his Majeſty's Inſtructions, hat we will not preſs him to " diſobey them."

And, in order to ſhew us that he does not entirely rely upon his own Judgment, he has been pleaſed to lay before us the Opinion of Sir *Dudley Ryder*, the late Attorney General and preſent Chief Juſtice of *England*, on a State of the Caſe, as it regards the Force of Power of Royal Inſtructions upon the Governors of this Province.

We have the Misfortune to differ in Opinion from the Governor, after conſidering the Caſe maturely as it now lies before us; nevertheleſs, we do aſſure him, that though in a Matter of ſmall Importance we might not, perhaps, be very tenacious of our own Sentiments; yet, in this Caſe, our All is concerned, and if we ſhould not act becoming the Rights our Birth, as *Engliſhmen*, entitles us to, we might appear unworthy of the Regard we have already experienced, and have good Reaſon to hope for hereafter, from a *Britiſh* Parliament.

The Caſe, then, as ſtated to Sir *Dudley Ryder*, at that Time the King's Attorney General, after reciting the ſeveral Powers granted by our Charter, as well as the Acts of Parliament of the Seventh and Eighth of WILLIAM the Third, and the Sixth of Queen ANNE, and the Lords Juſtices Inſtructions to Colonel *Thomas*, in 1740, proceeds in the following Words; *that is to ſay*,

' Since the ſaid Inſtruction was given (to Colonel *Thomas*, but directed, as before ' ſtated) a new Lieutenant-Governor, Mr. *Hamilton*, has been appointed for *Pennſyl- ' vania*, by the Proprietaries, and approved by the Crown.

' The beforementioned particular additional Inſtruction has not been repeated to ' Mr. *Hamilton*, any otherwiſe than as he is become, now, the Lieutenant-Governor of ' *Pennſylvania*, for the Time being.

' But upon Mr. *Hamilton's* being approved for Lieutenant-Governor, the Crown iſſued ' its general Inſtructions, and, amongſt other Things, ordered, that he ſhould take a ' ſolemn Oath to do his utmoſt, that all the Clauſes, Matters and Things, contained in ' the ſaid Act of the Sixth of Queen *ANNE*, ſhould be punctually, and *bona Fide*, ob- ' ſerved, according to the true Intent and Meaning thereof. — Which Oath he accor- ' dingly took.

' Beſides this, on the Crown's approving Mr. *Hamilton*, it was, on the Part of the ' Crown, required of him, and his Sureties entered into a Bond to his Majeſty, in *Two* ' *Thouſand Pounds* Penalty, conditioned *(inter alia)* " That if the ſaid *James Hamilton* " ſhall, from Time to Time, and at all Times hereafter, ſo long as he ſhall continue

" Lieutenant-

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" Lieutenant-Governor of the ſaid Province, obſerve, perform and obey all ſuch Direc-
" tions and Inſtructions, which now are, or ſhall at any Time be given, or ſent to him
" by his Majeſty, his Heirs and Succeſſors, or from any Perſon or Perſons now acting,
" or that hereafter ſhall act by Authority from his Majeſty, His Heirs and Succeſſors,
" and *purſuant to*, and for the putting in Execution, the ſeveral Acts of *Trade and Na-*
" *vigation*, relating to the Plantations, *viz.*

' *An Act* paſſed 12th *CHARLES* II. entituled, *An Act for the Encouraging and*
' *Encreaſing the Shipping and Navigation.*

' Here a great many Acts of Parliament are enumerated, and amongſt them,

' An Act paſſed in the Sixth Year of the ſaid Queen's Reign, entituled, *An Act for*
' *aſcertaining the Rates of Foreign Coins in her Majeſty's Plantations in* America.

" And all other Acts of Parliament now in Force, or that hereafter ſhall be made, re-
" lating to the Plantation Trade; and ſhall do and perform all ſuch Matters and Things,
" as the Governors of his Majeſty's Plantations, by any Act of Parliament made, or to
" be made, ſhall be obliged or enjoined to do and perform; and ſhall, before his
" entering on the ſaid Government, take the Oaths enjoined to be taken by the Gover-
" nors and Commanders in Chief of other his Majeſty's Colonies and Plantations, before
" their entering on their reſpective Governments, as directed by the Act of the Seventh
" and Eighth Years of the late King *WILLIAM*, herein before mentioned, *&c. &c.*
" Then to be void."

' Matters ſtanding thus, the People of *Pennſylvania* have applied to Mr. *Hamilton*,
' their Lieutenant-Governor, to paſs a Law, for enlarging, or adding more to, the Sum
' which they, at preſent, have ſtanding out in Paper Money, or Bills of Credit, there.

' He ſuppoſing that a ſmall Sum, to be added to their preſent Quantity, may not
' produce any great Inconveniences, would conſent to an Act for that Purpoſe, provided
' they inſert the *ſuſpending Clauſe*, that the Act ſhall have no Force, until confirmed by
' the Crown.

' But they inſiſt on paſſing the Act *without any ſuch ſuſpending Clauſe*.——Which
' he declines doing;

' As conceiving the Matter of *Money*, of *any* Sort or Kind, to be, in its Nature, Part
' of the *Prerogative* or *Sovereignty* of the Crown, and that he is bound by the Inſtruc-
' tion, which was given by the Lords Juſtices in 1740, to Colonel *Thomas*, or to the
' Commander in Chief in *Pennſylvania*, *for the Time being*, and by his before-mentioned
' Oath and Bond, and by the Duty of his Office, to obſerve that Inſtruction, and not
' to paſs any Act, whereby Bills of Credit may be iſſued, in Lieu of Money, *without*
' *inſerting the ſuſpending Clauſe*, and that it would be neither lawful, or ſafe, but an Of-
' fence in him, to paſs any ſuch Act, without that ſuſpending Clauſe.

' On the other Hand, the People inſiſt on the Powers, granted by the Charter, for paſ-
' ſing *all* Laws *whatſoever*, as giving very ample Authority to him to paſs the Law which
' they deſire; and that the Crown having granted away ſuch very full Powers, cannot
' even upon an Addreſs from the Houſe of Commons reſume them again, or add fur-
' ther Limitations or Reſtrictions, than what are contained in the Charter; and, there-
' fore, ſeem to think, that although his Majeſty might iſſue ſuch Inſtructions, to *his*
' *own* immediate Governors, where there are no Charters, yet, that in *Pennſylvania*,
' where ſuch a Charter ſubſiſts, ſuch Inſtruction had no Force, even upon Colonel
' *Thomas* himſelf (to whom the ſame was *immediately* directed) during *his* Government,
' and more clearly ſo, in the Caſe of the preſent Governor, Mr. *Hamilton*, to whom
' the ſame additional Inſtruction has not been given, any otherwiſe than as he is now
' become Governor of *Pennſylvania*, for the Time being.

' Mr. *Hamilton* is deſirous to oblige the People herein, if he may legally and ſafely
' do ſo.

And YOUR OPINION is deſired.

' *QUERE*. Whether Mr. *Hamilton*, Lieutenant-Governor of *Pennſylvania*, may
' legally and ſafely, and without committing any Offence, or Breach of his Oath or
' Bond, or of his Duty to the King, paſs, and give his Aſſent to an Act of Aſſembly,
' whereby Bills of Credit may be iſſued in *Pennſylvania*, in Lieu of Money, without
' the ſuſpending Clauſe, before-mentioned, being inſerted therein?

' *I am of Opinion it is by no Means ſafe, or adviſeable, or conſiſtent with his Duty, to*
' *paſs ſuch Bills, without a ſuſpending Clauſe.*

November 30, 1753. D. RYDER.'

It appears that the Caſe, thus ſtated to the Attorney General, regards only Emiſſions of Bills of Credit on *common* and *ordinary* Occaſions; and, in our Opinion, very little, if at all, affects the preſent Bill: And it is remarkable, that there is not the leaſt Notice taken of the Act for granting *Five Thouſand Pounds* for the Kings Uſe, which Governor *Thomas* paſſed without a ſuſpending Clauſe, by extending this very Exciſe Act for Ten Years; which we have now again extended for the ſame Term of Years only, and loaded it with a Grant of *Twenty Thouſand Pounds*.

As

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As Colonel *Thomas* gave his Aſſent to that Act after the Receipt of the additional Inſtruction which the Governor has now ſent down with our Bill, and as we preſume he has no other or later Inſtructions from the Crown, though he has ſince received the Royal Approbation, we hope he will not think himſelf more reſtricted by it, than the Gentleman to whom it was immediately directed; who has never ſuffered in his Honour, that we know of, or incurred the King's Diſpleaſure for giving his Aſſent to that Bill, and at this Time holds a Government of great Importance under the immediate Powers of the Crown.

Governor *Hamilton*, we find, entered into Bonds and Penalties (among other Things) "that he ſhall from Time to Time, and at all Times hereafter, ſo long as he ſhall "continue Lieutenant-Governor of the ſaid Province, obſerve, perform and obey all "ſuch *Directions* and *Inſtructions*, which *now are*, or ſhall at *any Time* be given, or *ſent* "to him, by his Majeſty, his Heirs and Succeſſors, or from *any Perſon* or Perſons, now "acting, or that hereafter ſhall act, by Authority from his Majeſty, his Heirs and Suc-"ceſſors, *and purſuant to*, and for the putting in Execution the ſeveral Acts of *Trade and* "*Navigation* relating to the Plantations, &c." Which Bond or Bonds, of the like Tenor, we preſume our Governor may have entered into before he received the Royal Approbation, and yet our late Governor ſeems clearly, in his Reaſonings with former Aſſemblies, to have acknowledged he thought himſelf at Liberty to paſs Acts of the Tenor of our preſent Bill for granting Money for the King's Uſe; and never offered a ſuſpending Clauſe, notwithſtanding his Bonds to the Crown: But whether he might, or might not, be ſafe in paſſing a Bill of the Kind mentioned in his State of the Caſe, could regard himſelf only, and does, by no Means, determine the Rights we claim under the Royal Charter. And we have the Pleaſure to aſſure the Governor, we have been credibly informed, that the Board of Trade, about a Year ago, ſtated a Queſtion to the Attorney and Solicitor General, with Reſpect to the Validity of this Inſtruction, of a ſuſpending Clauſe, over Governments claiming particular Rights by Charter; to which they have not yet given any Anſwer, that we can learn. And we know, that notwithſtanding two Bills extending the Royal Inſtructions over Councils and Aſſemblies in *America* had been attempted in Parliament without Succeſs, and a third Bill was brought in with the ſame Clauſe, yet it could not obtain a Paſſage there. And we are informed, that a noble Friend to Liberty and the Rights of the *Britiſh* Subject, a Member of that Houſe, expoſed this third Attempt ſo fully, upon the ſecond Reading of the Bill, that the Clauſes on this Head objected to were dropt without Diviſion in the Committee. And until ſuch Acts of Parliament ſhall be obtained, which we have good Reaſon to hope will never be impoſed upon us, the Governor muſt agree with us, that it is our Duty to defend the Rights and Privileges we enjoy under the Royal Charter.

As in the preſent Caſe we are not bound by any Acts of Parliament, and are certainly clear of the Act limiting the Eaſtern Colonies, both as to the Force and the Intention of it, we hope the Governor, from his known Abilities and Good-will to the Proſperity of this Province, will immediately diſcern the Difference between this Bill and Acts of Aſſembly creating Bills of Credit on *common* and *ordinary* Occaſions. What Force Royal Inſtructions may have on Bills of Credit paſſed on common and ordinary Occaſions is not immediately before us, and may be conſidered at a proper Time. But we hope the Governor, notwithſtanding any penal Bond he may have entered into, will, on Reflection, think himſelf at Liberty, and find it conſiſtent with his Safety and Honour, to give his Aſſent to this Bill, which may, at this Time, be of ſuch great Service to the *Britiſh* Intereſt in *America*.

But if we ſhould unhappily ſtill differ in Opinion, notwithſtanding theſe Reaſons, and ſuch as have been offered by our former Aſſemblies, we muſt be obliged, as our laſt Reſource, to apply to the Crown for Redreſs, or to the Lords of Trade, or our Proprietaries, as the Caſe may require; in which, we doubt not, the Governor will favour us with his Aſſiſtance. And in order to furniſh ourſelves with every Thing neceſſary for our own Vindication, and that this Caſe may appear in its full Light, we entreat the Governor will be pleaſed to inform us, whether the Royal Inſtruction is the only Impediment; or whether he has any further Inſtructions from our Proprietaries, which influence him in refuſing his Aſſent to our Bill? And, if he has, that he would be pleaſed to lay thoſe Inſtructions before us for our Conſideration."

And the ſame being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *William Callender* and *Arthur Patterſon* do carry it up to the Governor, together with the Bill for granting *Twenty Thouſand Pounds* to the King's Uſe, *&c.*

The Petition of *Callender* and *Teaff* was again read, and conſidered; and the Houſe being informed, that *Michael Teaff*, one of the Petitioners, was now in Town;

Ordered, That the ſaid *Teaff* do attend this Houſe this Afternoon.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, and

and the Bill for granting *Twenty Thouſand Pounds* to the King's Uſe, &c. report, that they had delivered the ſame according to Order. 1754. December 20.

The Secretary, by Order of the Governor, informed the Houſe, that *Scarroyady*, with his Son-in-law, were this Day before the Council, and acquainted them with the Purport of their Meſſage to the *Six Nations* at *Onondago*, which ſhould be communicated to the Houſe as ſoon as the Minutes of Council of this Day were compleated. — That the Governor was informed by *Scarroyady*, that his Son-in-law was charged with a Meſſage from the *Owendaets*, to enquire what their Brethren the *Engliſh* deſigned to do in regard to the late Encroachments of the *French*, and having heard ſince he came to Town, that the King of *England* intended to ſend over a Number of Troops to aſſiſt in repelling thoſe Invaders, he was willing, if the Governor thought proper, to return to his Nation, and acquaint them with the joyful News; the Governor therefore deſired the Opinion of the Houſe, whether it would be moſt adviſeable for *Scarroyady's* Son-in-law to return now to the *Ohio*, or go to *Onondago* with *Scarroyady*.——Alſo, that as *Scarroyady*, and the *Indians* accompanying him, were in Want of Shoes, and ſome Neceſſaries for their Journey, the Governor requeſted the Houſe would make Proviſion for the ſame.

The Houſe taking the foregoing Meſſage into Conſideration;

Reſolved, That it is the Opinion of this Houſe, that it would be moſt proper for *Scarroyady's* Son-in-law to return to the *Ohio* as ſoon as conveniently he can.

Reſolved, That this Houſe will allow the Charges of ſupplying *Scarroyady* and his Companions with Shoes, and ſuch other Neceſſaries as they may have Occaſion for, to enable them to proceed on their Journey.

The Houſe being informed that *Michael Teaff* was attending, according to Order, he was called in; and having anſwered ſuch Queſtions as were put to him by the Houſe, he was directed to withdraw.

Reſolved, That before this Houſe will make any Allowance for *Callender* and *Teaff's* Account, that the ſame ſhall be proved on Oath or Affirmation before ſome Magiſtrate of this Province.

Ordered, That the ſaid Account be referred to the Committee of Accounts, who are to examine ſuch Vouchers to the ſame, as may be produced by the ſaid *Callender* or *Teaff*, and report thereon to the Houſe.

The Governor's Meſſage of Yeſterday, with the Letter from Sir *Thomas Robinſon*, were again read, and conſidered; and, after ſome Time ſpent therein,

Ordered, That *Evan Morgan*, *Joſeph Stretch*, *William Callender*, *Mahlon Kirkbride* and *George Aſhbridge* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage, and report the ſame to the Houſe.

Upon a Motion made, it was

Reſolved, That *Robert Charles*, Eſq; be Joint-Agent with *Richard Patridge*, Eſq; for this Province at the Court of *Great-Britain*, for the remaining Part of the current Year; and that their Salaries be equal.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of the Nineteenth Inſtant, reported the ſame to the Houſe, and it was read by Order, approved, and ordered to be tranſcribed, that it may be ſent up to the Governor. December 21.

Which being done, the ſame was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

THE undoubted Proofs his Majeſty has ever given of his gracious and paternal Affection for all his Subjects, however diſtant from his Royal Preſence, and the freſh Marks we have now before us of his Care and Regard for the Welfare and Security of his Subjects in *North-America*, excite in us the warmeſt Returns of Duty and Gratitude; and we hope we have fully teſtified, that we have nothing more at Heart in all our Deliberations, than to anſwer the reaſonable Expectations of the Crown from this young but loyal Colony. We have chearfully paſſed a Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, which now lies before the Governor for his Approbation, and we hope will anſwer all the Purpoſes recommended to his Care by Sir *Thomas Robinſon's* Letter of the Twenty-ſixth of *October* laſt. And as we cannot preſume the Military Officers will or ought to have any Power of impreſſing Tradeſmen within this Province, ſo we think the other Parts of the Governor's Meſſage of the Nineteenth Inſtant, which relate to the Mode of ſettling the Value of ſuch Seizures or other Injuries private Perſons ſhall hereafter receive, may remain under our Conſideration without any conſiderable Inconvenience." Aſſembly's Anſwer to the Governor's Meſſage of the 19th Inſtant.

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Griffith Owen* and *David M'Connaughy* wait upon the Governor, and deliver the ſame.

1754. December 21. *Reſolved*, That *James Wright* and *John Wright* have Leave to be abſent the Remainder of this Sitting, on urgent Buſineſs.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return and report, that they had delivered the ſame, according to Order.

The Committee of Accounts made a Report in Writing on *Callender* and *Teaff's* Account, which was read, and is as follows, *viz.*

YOUR Committee have examined and deliberated on the Matters and Things ſet forth in the Petition and Account annexed, referred to them, and are of Opinion, that allowing Accounts for Goods delivered by *Indian* Traders to any *Indians*, without immediate Directions from the Government, may prove a bad Precedent; nevertheleſs, as it appears to your Committee, that *Robert Callender* and *Michael Teaff* did deliver to the *Indians* ſome Goods, for which we do not find they have received any Pay, and it appears in ſome Meaſure the *Indians* were then in Neceſſity; your Committee therefore think it neceſſary to allow them *Forty Pounds* in full Diſcharge thereof. —— And we are of Opinion, the Expreſſes mentioned by *Robert Callender* ought to come recommended from the Governor.

All which we ſubmit to the Houſe.

EVAN MORGAN, WILLIAM CALLENDER,
JOSEPH FOX, JOSEPH HAMTON,
JOSEPH STRETCH, THOMAS CUMMINGS.
JAMES PEMBERTON,

And the ſaid Report being again read, and conſidered, together with *Teaff's* Qualification to the ſaid Account;

Reſolved, That the Sum of *Fifty-ſix Pounds* be allowed to the ſaid *Callender* and *Teaff*, in full for the Goods by them delivered to the *Half-King* and other *Indians*, in *May* laſt, as ſet forth in their Petition and Account exhibited to the Aſſembly on the Fourteenth of laſt *Auguſt*.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

December 23. The Houſe met according to their Adjournment.

Poſt Meridiem A Petition from divers Inhabitants of the County and City of *Philadelphia* was preſented to the Houſe and read, ſetting forth, that the Petitioners underſtand that this Houſe have now under Conſideration a Law for the better removing the Dangers the Inhabitants of this Province are daily expoſed to from the infectious Diſorders which the Foreigners yearly imported labour under, and alſo for preventing for the future ſuch Hardſhips and Grievances as thoſe poor Strangers have hitherto ſuffered; the Petitioners therefore pray, that *Daniel Mackinet*, ſenior, may be appointed the Health Officer, for putting the ſaid Law in Execution, he being a Perſon in whom, the Petitioners apprehend, a ſpecial Confidence may be placed, as well for his known Integrity and Care, as Knowledge in the *German* and *Engliſh* Languages. *Ordered to lie on the Table.*

A Petition from *John Knowles*, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioner is informed that this Houſe is now preparing an Act for the more effectual Prevention of Diſeaſes and infectious Diſtempers occaſioned by the Importation of Foreigners, *&c.* the Petitioner therefore prays, that he may be appointed the Health Officer for putting the ſaid Act in Execution.

Ordered to lie on the Table.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 24. The Governor, by the Secretary, ſent down to the Houſe a written Meſſage, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'WHEN your Bill for ſtriking *Twenty Thouſand Pounds*, &c. was before me, I duly conſidered the dangerous Circumſtances in which the Province was involved; and the abſolute Neceſſity of ſpeedy Meaſures to remove the *French* from their Encroachments; and this induced me, inſtead of adding a Clauſe to ſuſpend the Force of the Act till his Majeſty's Pleaſure could be known, to ſend it back to you, that you might frame ſuch an One as I was at Liberty to give my Conſent to; and at the ſame Time to ſignify to you, that I would agree to the Striking any Sum the preſent Emergency might require, provided Funds were eſtabliſhed for ſinking the ſame in Five Years, that being the Term preſcribed by an Act of Parliament for regulating Paper Money in the Eaſtern Governments; and I thought the Reaſon of that Act extended here, though the Force of it did not; and I hoped that I ſhould be excuſed, if I ſo far relaxed the Inſtruction upon the preſent Occaſion, as to act agreeable to the Rule laid down by Parliament for the neighbouring Governments, and I am ſorry, for the Sake of the Public, to find by your Meſſage, that you have ſo far miſapprehended me, as to conceive that I intended to inſiſt on the ſuſpending Clauſe in this dangerous

' Situation

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'Situation of Affairs, which the Words of my Message do in no wise import, and that 'upon the Whole, you refuse to accede to the reasonable Measures I proposed.

'The Case stated for Sir *Dudley Ryder's* Opinion, was drawn up with Intention to 'know how far that Instruction was binding upon the Lieutenant-Governor for the 'Time being, and not whether Colonel *Thomas* had acted right or wrong, in passing 'an Act for striking *Five Thousand Pounds*, without a suspending Clause, to which the 'Case stated neither could nor ought to have any Reference.

'It does not appear to me that the Opinion only regards common and ordinary Emis-'sions; the Instruction itself, you are sensible, is very general, and that all the late As-'semblies Objections are placed in the fairest and strongest Light in the State of the 'Case. Colonel *Thomas's* Conduct is no Rule to me, nor will mine be for any One that 'may succeed me; and if we judge from his not transmitting that Act to *England*, we 'may presume that he did not look upon that Particular as the most recommendatory 'Part of his Administration. It is true, he never was censured for it, and indeed, how 'could he, as the Transaction was never made known to his Majesty, or his Ministers? 'And he now enjoys a considerable Trust under the Crown. — But you must be con-'vinced, that what principally recommended him to his Majesty's Favour, was the warm 'Zeal he discovered for his Majesty's Service, a ready Obedience to his lawful Com-'mands, and an hearty Inclination to promote the public Service, by annoying his Ma-'jesty's Enemies, and endeavouring to provide for the Defence of that Part of his Ma-'jesty's Dominions then under his immediate Direction.

'As the Fact you mention relating to the Case laid by the Lords of Trade before the 'Attorney and Solicitor General, is not of public Notoriety, it is quite unknown to 'me; but should it be as you say, whenever they shall report their Opinion, and his 'Majesty shall think fit to issue different Instructions, I shall endeavour to pay the pro-'per Obedience to them; but while this Matter is only under the Consideration of the 'Attorney and Solicitor General, if in Truth it be so, I do not see that I can take any 'Notice of it.

'The Debates in Parliament, or whatever any noble Member was pleased to say on 'that Occasion, have, I think, little Connection with the Matter now before us. But 'you will please to remember, that though the Parliament did not agree to give a ge-'neral Sanction to all Instructions from his Majesty; yet this in particular was the Re-'sult of the humble Addresses of both Houses to his Majesty for that Purpose, and it 'cannot be doubted but they will support their own Act, if it should ever come before 'them.

'I must join with you in Opinion, that the only Method to have the Validity and 'Force of that Instruction finally and authoritatively determined, is by an Application 'to his Majesty, who can, if he pleases, withdraw or suspend the Force of it for any 'Time he thinks proper; and I will, as I think it my Duty at all Times, but more 'especially so at present, lay before his Majesty's Ministers this whole Affair, to whom 'you are at Liberty, and I am desirous you should apply. But while that Matter rests 'before his Majesty for his Determination, which cannot be immediately had, let us 'exert ourselves against the *French* Invaders, who have already possessed themselves of 'great Part of this Province, and not leave them at Liberty to make further Encroach-'ments, and their Savage Allies to make what Incursions, and commit what Cruelties, 'they please.

'As I was, in a great Measure, a Stranger to your Constitution, and was so highly 'to be entrusted by the Proprietaries, it seemed quite necessary that I should receive In-'structions from them; all which are so perfectly calculated to promote and secure the 'Prosperity and real Happiness of the Inhabitants of this Country, and so reasonable in 'themselves, that I can safely assure you, that nothing is required of me by them, that 'I should not think it my Duty to do if they had never been given me.

'And though I think it not quite decent, and I believe unprecedented, for a Gover-'nor to be called upon for a Sight of his Instructions, yet I shall communicate them to 'the House whenever the public Service shall require it; and accordingly I take this Op-'portunity to acquaint you, that I have it, among other Things, in Charge from the 'Proprietaries, to recommend to you, in the most pressing Manner, to provide at this 'Time for the Defence and Safety of the Province, not only by affording such Aids as 'his Majesty from Time to Time may require, but by establishing a regular Militia 'within this Province, and providing Arms and Stores of War, and building proper 'Magazines in the most convenient Places: All these Things they desire may be done 'in such Manner as to be least burthensome to the Inhabitants, and particularly so as 'not to oblige any Persons to bear Arms who are or may be conscientiously scrupulous 'against it.

'This, Gentlemen, in Pursuance of my Instructions from the Proprietaries, I now 'earnestly recommend to you to do with all imaginable Dispatch, as this Province never 'was in more imminent Danger than it is at present, having, as you know, a very large

'Body

1754. December 24.

'Body of *French* Troops in the Back Parts of it, assisted by great Numbers of *Indians* 'in their Alliance, and the Government without Men acquainted with military Disci- 'pline, Arms or Ammunition. And as his Majesty and his Ministers, as well as the 'Proprietaries, depend upon me to give them true and exact Accounts of the State and 'Circumstances of the Province committed to my Care, I must desire you will give me 'a clear and determinate Answer to this Point, that I may be able to lay the same before 'his Majesty in such a Manner as may make the Interposition of Parliament entirely 'unnecessary.

'Gentlemen, while I had your Message of the Twentieth Instant under my Con- 'sideration, and was preparing the foregoing Answer to it, I received your's of the 'Twenty-first, in Answer to mine of the Nineteenth, accompanying Sir *Thomas Ro-* '*binsons* Letter of the Twenty-sixth of *October* last; and am really concerned to find, 'that instead of providing for the Articles of Expence recommended to you by his Ma- 'jesty, in a Manner agreeable to his Royal Directions, you insist on my passing the Bill 'in the Shape you have sent it up which I before informed you I could by no Means 'do, as being contrary to his Majesty's Instruction, and now again assure you, that I 'will not assent to that or any other Bill for emitting Paper Money, but upon the Terms 'above-mentioned.

'And here, Gentlemen, I think it necessary to say, that there are some other Mat- 'ters in your Bill, which would have merited my further Consideration, but I was un- 'willing to mention any Thing that might impede his Majesty's Service.

'I cannot but observe by the Minutes of Council, that a Dispute subsisted between 'you and the late Governor upon this very Head, for a considerable Time, which might 'certainly have received his Majesty's Determination, had you applied for it; and am 'very sorry that such a Dispute should be revived in the very Beginning of my Admi- 'nistration, and at a Time when the common Safety requires that we should lay aside 'all other Considerations but our present imminent Danger, and rise up as one Man to 'drive the *French* from our Borders, and secure our Country against their Encroach- 'ments for the future.

'Was there no other Method of raising Money for the present Service, but that you 'have proposed and insisted upon, your Conduct might appear in a more favourable 'Light. But as you now have, or ought to have, by the Laws in Being, in Bank, be- 'tween *Fourteen Thousand* and *Fifteen Thousand Pounds*, and a Revenue of *Seven Thou-* '*sand Pounds* a Year; as this City and Province are in rich and flourishing Circumstances, 'and as the People are numerous, and burthened with none or very trifling Taxes, I 'cannot consent to pass the Bill you propose, it being a direct Breach of a Royal In- 'struction intended to enforce an Act of Parliament of the Sixth of Queen ANNE, which 'you know has been shamefully slighted and disregarded in this and the neighbouring 'Provinces.

'The Reason for my having recommended it to you to consider, whether a Law would 'not be necessary to settle and establish the Wages or Hire to be paid for such Trades- 'men, Horses and Carriages, as might be impressed for his Majesty's Service by mili- 'tary Men, was in Favour of Liberty, and intended to restrain them from impressing 'of Freeholders, and to prevent Disputes between the Owners of Carriages and other 'Necessaries; and that if the Exigency of Affairs should render it necessary to impress 'any, it might be only single Men, and such as have no Habitations or Settlements 'among us, whose Service may be wanted in the Course of this Expedition.

'Upon the Whole you will consider, Gentlemen, in what Light you will appear to 'his Majesty and a *British* Parliament, who are expending great Sums of Money for 'the Defence of these Colonies, while you, the very Province most concerned as being 'invaded, instead of contributing towards your own Defence, are entering into an ill 'timed Controversy concerning the Validity of Royal Instructions, which might have 'been determined long ago, and may be delayed to a more convenient Time, without 'any the least Injury to the Rights of the People.

'Let me therefore, Gentlemen, once more recommend the present unhappy Circum- 'stances of this Country to your most serious Consideration; and entreat you to lay aside '(for the present at least) every Thing that may admit of any Dispute, and enter hear- 'tily into such Measures as may best answer the public Expectations, and assist his Ma- 'jesty in the Measures he has concerted, and is carrying into Execution, for the Pre- 'servation of this Country.

December 24, 1754. *ROBERT HUNTER MORRIS.*"

And the said Message being again read, and considered, was, after some Time spent therein, referred to further Consideration.

Adjournment. Then the House adjourned to Three o'Clock, *P. M.*

Post Meridiem. The Governor's last Message being again read, and considered;

Ordered, That *Joseph Fox* and *James Burnside* wait upon the Governor, and acquaint him, that as it appears by his last Message, that he chooses not to pass the Bill,

now

now before him, for granting *Twenty Thousand Pounds* to the King's Use, the House desire he would be pleased to return it to them. 1754. *December* 24.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return, and report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he did not know it was customary to return the Bill, but had given it to the Secretary at the same Time with the Message, who, he expected, would have disposed of it as had been heretofore usual; that the Governor then sent for the Bill to the Secretary's, and having received it, delivered it to them, according to the Desire of the House.

Then the House adjourned to Three o'Clock To-morrow Afternoon. Adjournment

The Governor's Message of Yesterday was again read, and considered; and, after some Time spent therein, it was *December* 25. *Post Meridiem*

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *Joseph Gibbons*, *Arthur Patterson*, *David M'Connaughy*, *John Smith*, *Moses Starr* and *James Burnside* be a Committee to prepare a Draught of an Answer to the said Message, or to such Parts thereof as they shall think most necessary for the House to answer at this Time.

Ordered, That Candles be brought in.

And they were brought in accordingly.

The Committee to whom the Bill for preventing the Importation of *German* or other Passengers, or Servants, in too great Numbers, in any one Ship or Vessel; and for preventing the Spreading of contagious Distempers within this Province, was committed for Amendment, reported the same to the House, with sundry Alterations they had made therein.

A Petition from *Daniel Mackinet*, senior, of the City of *Philadelphia*, praying to be appointed the Health Officer, in the Bill now before the House for preventing the Spreading of infectious Distempers, *&c.* was presented to the House and read, and

Ordered to lie on the Table.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported, that they were of Opinion it was most immediately necessary for the House to answer that Part of the Governor's last Message which relates to Proprietary Instructions; and that the other Parts of the said Message might, without any Inconvenience, be postponed for future Consideration.

And the said Committee having prepared a Draught of an Answer to that Part of the Governor's last Message which relates to Proprietary Instructions, laid the same before the House; and it was read by Order, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *Charles Norris*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Petitioner is informed that some of the Members of this House have lately represented the Necessity of having a Person to take Care of the Library belonging to the Assembly; the Petitioner therefore begs Leave to offer himself for that Service. *December* 26.

And the House taking the same into Consideration,

Resolved, That *Charles Norris* be Keeper of the Assembly Library, and that he observe such Directions therein as shall be hereafter given him by this House.

The Message to the Governor being transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

BEFORE we enter upon the Consideration of the other Parts of the Governor's Message of the Twenty-fourth Instant, we must acknowledge ourselves engaged to return him our hearty Thanks for informing us, that, "as he was in a great Measure a "Stranger to our Constitution, and, to be so highly entrusted by the Proprietaries, it "seemed quite necessary that he should receive Instructions from them.—And notwith- "standing he may think it not quite decent, or may believe it unprecedented for a Go- "vernor to be called upon for a Sight of his Instructions, yet he will communicate them "to the House whenever the public Service shall require it." A Message from the Assembly to the Governor.

And in Return to this candid Declaration, and the Assurance he is pleased to give us, as well as the ready furnishing us with other Parts of those Instructions, we beg Leave to inform the Governor, that we not only apprehend it the undoubted Right of a *British* Parliament to address the Crown for such Information as they judge absolutely necessary to their Deliberations; but also, that the Proprietary Instructions to our former Governors, have been repeatedly laid before the Assemblies of this Province.

We find a saving Clause or Restriction in the Proprietary's Commission to Colonel *Evans* was laid before the Council, with a solemn Decision of that Council, of which WILLIAM PENN, the Younger, was the principal Member, "that the said saving "Clause was void in itself." And this Decision, with other Proprietary Instructions,

1754. December 26. were laid before the Aſſembly by Sir *William Keith*, in the Year 1724; whereupon that Houſe drew up "a Remonſtrance, by way of Addreſs, to the Honourable the Proprie-"tary Family, to ſhew wherein the ſaid Inſtructions were an Infringement upon the Pri-"vileges granted by Charter to the People of this Province." And again, in the Year 1738, Colonel *Thomas*, in his Meſſage to the Aſſembly, on a Bill then lying before him, for re-emitting and emitting *Eighty Thouſand Pounds* in Bills of Credit, after enumerateing, among other Things, ſuch Objections as ariſe from the Act of Parliament made in the ſixth Year of the late Queen ANNE, "for aſcertaining the Rates of *Foreign Coins* in "the Plantations of *America*," as well as the Letter from the Lords for Trade and Plantations to Governor *Gordon*, his immediate Predeceſſor, declares, with great Candour, "that the then Aſſembly might ſee that he did not induſtriouſly ſeek for Argu-"ments to diſappoint them of a Bill they had ſo much at Heart, he ſent them a Copy "of the Proprietaries Inſtruction to him on that Head." And the ſaid Inſtruction appears upon our Minutes of that Year.

This Inſtance of Colonel *Thomas's* Juſtice and Sincerity towards the Repreſentatives of the Province at that Time, produced the deſired Effect, as we hope it always may hereafter in like Caſes. And accordingly we find, after ſeveral Meſſages, and conferring with the then Governor on that Head, he paſſed the Bill, which has finally received the Royal Approbation, and gives the Sanction to the Paper Currency, now paſſing among us.

We therefore, under theſe Conſiderations, and for that we are of Opinion thoſe Proprietary Inſtructions, which the Governor is pleaſed to inform us our Proprietaries gave him on their appointing and entruſting him with this Government, are the principal, if not the ſole, Obſtructions to the Paſſing our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe; and alſo, for that whatever Bills we might prepare for this, or any other Purpoſe, after all the Expence to the Country, and after all our Pains in framing them, would be liable to the ſame Difficulties, unleſs we could know what thoſe Proprietary Inſtructions are. We ſay, under theſe Conſiderations, and from the Regard our Governor is pleaſed to expreſs for our Charter, and our Liberties, we earneſtly requeſt he would now candidly communicate thoſe Inſtructions to us, as the Time when "the public Service requires it" in the moſt particular Manner: For, as we are now under an abſolute Neceſſity of addreſſing the Crown, in Support of our Civil and Religious Liberties, in which we have the Pleaſure of the Governor's Concurrence, and indeed his Deſire that we ſhould apply to his Majeſty on this Occaſion, we muſt, in Juſtice to ourſelves, and in Diſcharge of the Duty we owe to thoſe we repreſent, make thoſe Proprietary Inſtructions, and the Force and Validity of them, the great End of our humble Petition to the Crown at this Time, unleſs the Governor ſhall be pleaſed to convince us to the contrary."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Derrick Hogeland* and *Moſes Starr* wait upon the Governor with the ſame.

An Account from *Michael Teaff*, amounting to *Sixty-four Pounds One Shilling* and *Six-pence*, for Diet and other Neceſſaries, ſupplied the *Half-King*, &c. was laid before the Houſe and read, and referred to the Committee of Accounts.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order.

A Petition from *Thomas Bourne*, of the City of *Philadelphia*, praying to be appointed the Health Officer for putting in Execution the Act now preparing by the Houſe, for preventing the Spreading of infectious Diſtempers, *&c.* was preſented to the Houſe and read. *Ordered to lie on the Table.*

Part of the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel, *&c.* was read, and conſidered, and the Remainder referred to further Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 27. The Committee of Accounts reported, that they had examined the Speaker's Account for Diſburſements for the Uſe of the Houſe, *&c.* and were of Opinion, that the ſame ought to be allowed; and that *Three Pounds Seventeen Shillings* and *a Penny* thereof ſhould be paid by the Superintendants of the State-houſe, and *Eight Pounds Three Shillings* and *Five-pence*, the Remainder of ſaid Account, by the Executors of the late Treaſurer, out of the Money in their Hands belonging to the Province. — To which the Houſe agreed.

The Houſe proceeded upon the Conſideration of the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel, *&c.* and, after ſome Time ſpent therein, the ſame was referred to further Conſideration in the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem.

The

1754. *December* 27

The House resumed the Consideration of the Bill for preventing the Importation of *German* or other Passengers, or Servants, in too great Numbers in any one Ship or Vessel, *&c.* and, after a considerable Time spent therein, the same was referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

December 28.

The Bill for preventing the Importation of *German* or other Passengers, or Servants, in too great Numbers in any one Ship or Vessel, was read the second time, Paragraph by Paragraph, and debated; and sundry Alterations being made therein at the Table, it was ordered to be transcribed for a third Reading.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment

December 30.

Post Meridiem

The House met according to their Adjournment.

The Governor, by the Secretary, sent down to the House a Message, in Writing, and the Examinations of two *French* Deserters, taken before the Chief Justice, which were read; and the Message is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'IN Answer to your Message of the Twenty-sixth Instant, I think it necessary to observe, that though the House of Commons have certainly a Right to address the Crown for Information, and though former Governors of this Province, when they thought it necessary, have laid particular Instructions before the Assemblies, yet it does not from thence appear, that you have a Right to have all the Governor's Instructions laid before you, whenever you think proper to demand them; and I am still of Opinion, that your Application for that Purpose is irregular and unprecedented.

'It is certainly true that I have Proprietary Instructions, as I am informed all Governors, from the first Settlement of the Province, have constantly had; and indeed it could not be otherwise, seeing the Proprietaries are answerable for the Conduct, and bound by the Acts, of their Governors. But I cannot think it at this Time for his Majesty's Service, or the Interest of this Province, to communicate them to you, further than I have already done; especially as you claim it as a Right, and seem industriously to seek for these Instructions, as a fresh Matter to dispute upon, when the Public Service requires that you should be otherwise employed; and as you express so great a Dislike to Proprietary Instructions, that in the very Message, wherein you desire they may be communicated to you, you declare you intend to make the Force and Validity of them the great End of your Petition to the Crown; and this without so much as knowing what those Instructions are, further than that the Proprietaries earnestly recommend it to you to provide for the Defence of the Province, in the Manner mentioned in my last Message.

'When your Bill for striking *Forty Thousand Pounds* was before me, I found it was contrary to the Royal Instruction, directed to the Lieutenant-Governor of this Province for the Time being, and, in the Opinion of Sir *Dudley Ryder*, in Force, and binding upon me; and without any further Examination I sent it back to you, with that Opinion, and by a Message informed you, that I could by no Means agree to it, as it was contrary to that Instruction; notwithstanding which, you are pleased to tell me, *that you are of Opinion the Proprietary Instructions are the principal, if not the sole, Obstruction to the Passing that Bill.* If this be really your Opinion, Gentlemen, I should be glad to know upon what Information you found it, and how you came so intimately acquainted with my private Sentiments, as to know, that when I said one Thing, I meant another.

'I was, and am, very desirous that you should apply to the Crown, to determine the Force of the Royal Instruction relating to Paper Money, as his Majesty may certainly withdraw the same whenever he pleases: But as I do not know, or believe that the Civil or Religious Liberties of the People of this Province are at all invaded by that Instruction, I could have no Intention to consent to an Application in Support of them. Any Application therefore of that Sort, Gentlemen, must be your own, in which I have not, nor do I desire to have, any the least Concern.

'An Invasion of the Civil and Religious Liberty of a People, which are in their Nature sacred, and ought to be so esteemed by all Governments, is among the worst of Crimes, and is greatly aggravated when done by One who is bound by Duty and Oath to preserve those Blessings, and to protect the People in the Enjoyment of them. His Sacred Majesty, who through the Course of a long and happy Reign has studied to preserve the Rights and Liberties of all his Subjects, and has always made the Laws and Constitution of his Kingdoms the Rule and Measure of his Government, I am sure, disdains a Thought of doing or approving any Thing that may be injurious to them; and I am satisfied a *British* Parliament will never esteem a Royal Instruction, issued at their own Request, and intended to enforce a good and wholesome Law, in the least destructive of the Civil or Religious Liberties of any Part of his Majesty's Subjects, whatever you the Representatives of *Pennsylvania* may do. And it gives me

'particular

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'particular Concern, that you ſhould purpoſely enter into a Diſpute about that Inſtruction, and chooſe to expreſs and publiſh ſuch Sentiments of his Majeſty's Government, 'at a Time like this, when a *French* Army are fortifying themſelves in your Country; 'and I earneſtly recommend it to you to conſider, whether ſuch Expreſſions may not 'have a Tendency to alienate the Affections of the People of this Province from his Majeſty's Perſon and Government, and thereby greatly obſtruct the Meaſures he is taking, 'at a vaſt Expence, for the Preſervation and Protection of his Subjects upon this Continent.

'I have lately received Intelligence, that a Body of nigh Six Thouſand of the beſt 'Troops of *France*, ſelected, and ſent over upon this particular Service, are arrived at 'the Lower Fort upon the *Ohio*, and are employed in fortifying that Country. This 'muſt convince us that the Court of *France* has formed ſome grand Deſign with regard 'to this Continent; and as they have made their firſt Attack upon this Province, without Doubt on Account of its being the moſt plentiful and only defenceleſs Part of his 'Majeſty's Dominions; it behoves us, in a particular Manner, to exert ourſelves upon 'the preſent Occaſion: I muſt therefore, Gentlemen, once more intreat you to lay aſide 'every Thing that may admit of Diſpute between us till a more favourable Seaſon, and 'enter ſeriouſly into the Conſideration of the Danger to which your Country is expoſed; 'and not only grant the Supplies recommeded by the Crown, but enable me to raiſe a 'conſiderable Body of Men, to be employed in Conjunction with the Troops his Majeſty has deſtined for this Service; and by eſtabliſhing a regular Militia, and providing 'the neceſſary Stores of War, leave us no longer, for want of Diſcipline, an eaſy Prey 'to a much weaker Body of Men than are now encamped within a few Days March 'of this City.

December 30, 1754. *ROBERT HUNTER MORRIS.*"

The Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel; and for preventing the Spreading of contagious Diſtempers within this Province, being tranſcribed, was read the third time;

And a Blank having been left in the ſaid Bill for the Name of the Perſon to be appointed Health Officer, the ſeveral Petitions for that Office were read; and, after ſome Time ſpent in Conſideration thereof, it was

Reſolved, That *Spencer Trotter* be appointed the Health Officer for this Province.

And his Name was inſerted in the Bill accordingly.

And a Clauſe being propoſed, by one of the Members, to be added to the ſaid Bill, by way of Rider, the ſame was read, conſidered, and ordered to be tranſcribed.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 31. The Clauſe propoſed to be added, by way of Rider, to the Bill for preventing the Importation of *German* or other Paſſengers or Servants, in too great Numbers. *&c.* being tranſcribed, was again read, conſidered, agreed to, and ordered to be inſerted in the ſaid Bill: —— Which being accordingly done;

Reſolved, That the Bill do paſs.

Ordered, That *Joſeph Stretch* and *James Pemberton* carry up the ſaid Bill to the Governor for his Concurrence.

The Governor's two laſt Meſſages were again read; and the Houſe obſerving, that the Governor calls on them to ſhew upon what Information they found their Opinion, that he is reſtricted by Proprietary Inſtructions from paſſing the Bill for granting *Twenty Thouſand Pounds* to the King's Uſe (in which it is propoſed to extend the *Exciſe Act* for Ten Years, to raiſe a Fund for ſinking the ſame) it was therefore

Ordered, That the ſeveral Meſſages which paſſed between the late Governor and Aſſembly, in the Years 1750 and 1751, in relation to the Proprietaries bearing a proportionable Part of the Expences on *Indian* Affairs; and the Report of the Committee, in *June* 1751, appointed to ſearch the Records and Minutes of the Houſe to find in what Manner thoſe Expences had been uſually defrayed, *&c.* with the Reſolves of the Houſe upon the ſaid Report, be, this Afternoon, taken up and read, together with the Repreſentation from the Aſſembly to the Proprietaries in 1751, the Proprietaries Anſwer thereto, and the Report of a Committee of Aſſembly upon the ſaid Anſwer, in 1753.

The Gentlemen appointed to wait upon the Governor with the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel; and for preventing the Spreading of contagious Diſtempers within this Province, return, and report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he would give it all the Diſpatch in his Power.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem Purſuant to the Order of this Morning, the ſeveral Meſſages, Reports, *&c.* of the Aſſembly, in the Years 1750, 1751, and 1753, relating to the Proprietaries bearing a proportionable Part of the Expences on *Indian* Affairs, were taken up and read; and, after ſome Time ſpent in Conſideration thereof, it was

Ordered, That the Repreſentation from the Aſſembly to the Proprietaries in 1751, the

the Proprietaries Answer thereto, laid before the House in *May*, 1753, and the Report of the Committee of Assembly, at that Time, on the said Answer *(neither of which have as yet been made public)* be now printed with the Minutes of this Sitting. 1754. *December* 31.

And the said Representation, Answer and Report, do accordingly follow in these Words, *viz.*

To the Honourable THOMAS PENN *and* RICHARD PENN, *Proprietaries of the Province of* Pennsylvania, *&c.*

The REPRESENTATION *of the* General Assembly *of the said Province, met at* Philadelphia, *the Twenty-third Day of the* Sixth Month, 1751.

May it please the Proprietaries,

Representation from the Assembly to the Proprietaries, in *August*, 1751.

THE first Settlers of this Province unanimously concurred with your worthy Father to lay the Foundation of their Settlements, in doing Justice to the Native *Indians*, by coming among them as Friends, upon an equitable Purchase only: This soon appeared to be the best and safest Way to begin the Infant Settlement, by the Veneration and Love it procured from those People, who kindly supplied the Wants of many then destitute of the Necessaries of Life; and, as the Settlements encreased, retired to make Room for their new Guests, still preserving that Esteem and Veneration which had been so strongly impressed upon their Minds. By this voluntary Retreat, all were satisfied, for there was Room enough for all; and the good Faith so carefully kept with those who were neareſt, gave the more distant *Indian* Nations that favourable Opinion of us, which our continuing to act on the same Principles of Justice hath supported to this Day: They entered freely into our Alliance; they became the Guards of our Frontiers against the *French* and *French Indians*, by obliging them to observe a Neutrality towards us, as we experienced during the Course of the last War; and we have Reason to think we now share largely in their Affections. But this beneficial Friendship hath neither been procured nor continued without a very great Expence to the People of this Province, especially for some Years past, wherein we find the Assemblies (demonstrating that their Unwillingness to contribute to military Preparations, was neither from Want of Public Spirit, nor through unseasonable Parsimony, but from the Motives of Conscience only) opened their Hands liberally to all the Purposes of Peace, among those who could best, under God, preserve our distant Settlements against the Depredations of an active and powerful Enemy; without strictly enquiring at that Time, how far the People alone ought to bear the Burden of those Expences. But as that Burden became yearly more and more heavy, the Assemblies were naturally led to request the Assistance of the Proprietaries, and we hoped an Application so apparently reasonable might have their Approbation. We are therefore much concerned to receive an Answer so different from our Expectations, in which the Proprietaries are pleased to say, ‘ that they do not conceive ‘ themselves under any Obligation to contribute to *Indian* or any other public Expences, ‘ even though Taxes were laid on the People for the Charges of Government: But as ‘ there is not One Shilling levied on the People for that Service, there is the less Reason ‘ for asking any Thing of them. Notwithstanding which, they have charged themselves ‘ with paying to the Interpreter, much more than could be due to him on any Treaties ‘ for Land, and are at this Time at the Expence of maintaining his Son, with a Tutor, ‘ in the *Indian* Country, to learn their Language and Customs for the Service of the Province, as well as of sundry other Charges on *Indian* Affairs. That they have been at ‘ considerable Expence for the Service of the Province both in *England* and here; that ‘ they purchase the Land from the *Indians*, and pay them for it; and that they are under ‘ no greater Obligation to contribute to the public Charges than any other Chief Governor of any of the other Colonies.”

Upon which we beg Leave respectfully to represent to our Proprietaries, that the Preserving a good Understanding with the *Indians*, more particularly advances the Interest and Value of the Proprietary Estate than that of any other Estate in the Province, as it gives the Proprietaries an Opportunity of purchasing at a low Price, and selling at high Rates, great Tracts of Land on the Frontiers, which would otherwise be impracticable. That therefore, though they may conceive themselves under no Obligation by Law, they are under the much stronger Obligations of natural Equity and Justice, to contribute to the Expence of those *Indian* Treaties and Presents, by which that good Understanding, so beneficial to them, is maintained.—That although formal Taxes have not been laid in this Province during some Years past, for the Support of the Proprietaries Lieutenant-Governor, and defraying the Charges of *Indian* Treaties, yet the Interest of our Paper Money is a virtual Tax on the People, as it arises out of, and is paid by, their Labour, and our Excise is a real Tax, yielding about *Three Thousand Pounds per Annum*, which is principally expended in those Services, besides the Tax of Licences of various Kinds, amounting to considerable Sums yearly, which have been appropriated wholly to the

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Support of the Governor. That the Aſſemblies of this Province have always paid the Accounts of our *Indian* Interpreter for his public Services to his full Satisfaction; and we believe future Aſſemblies will not fail to do, in that Reſpect, what may reaſonably be expected from them, when his Son ſhall be thought qualified to ſucceed him. Nor do we doubt their Diſcharging all juſt Debts for Expences properly chargeable to the Province, whether made here or in *England*, whenever the Accounts are exhibited. We are nevertheleſs thankful to our Proprietaries for their Care in our Affairs, and their Endeavours to provide a well qualified Succeſſor to our preſent Interpreter, as ſuch a One may be of Service to the Public, as well as to the private Intereſts of their Family.

We would farther entreat our Proprietaries to conſider, that their great Eſtate not lying in *Britain*, is happily exempt from the Burthens borne by their Fellow Subjects there, and cannot, by any Law of ours, now in Being, be taxed here. That therefore, as they are not obliged, on Account of that Eſtate, to bear any Part of the Charge of any War the *Britiſh* Nation may be involved in, they may with us more freely contribute to the Expence of preſerving Peace, eſpecially on the Borders of their own Lands, as the Value of thoſe Lands ſo much depends upon it.

We beg Leave further to obſerve to our Proprietaries, that the Act forbidding all others to purchaſe Lands of the Natives, eſtabliſhes a Monopoly ſolely in their Favour; that therefore they ought to bear the whole Charge of Treaties with the *Indians* for Land only, as they reap the whole Benefit. And that their paying for Land (bought, as we conceive, much the cheaper for the Provincial Preſents accompanying thoſe Treaties) which Land they ſell again to vaſt Advantage, is not a ſatisfactory Reaſon why they ſhould not bear a Part of the Charge of ſuch other Treaties, as tend to the common Welfare and Peace of the Province.

Upon the Whole, ſince the Proprietaries Intereſts are ſo conſtantly intermixed, more or leſs, with thoſe of the Province, in all Treaties with our *Indian* Allies; and ſince it appears that the Proprietaries think they already pay more than their Share, and the People (who have diſburſed near *Five Thouſand Pounds* within theſe Four Years on thoſe Occaſions) think they pay abundantly too much, we apprehend that the ſureſt Way to prevent Diſſatisfaction on all Sides, will be, to fix a certain Proportion of the Charge of all future Provincial Treaties with the *Indians*, to be paid by the Proprietaries and Province reſpectively; and this, we hope, they will on further Conſideration agree to, not only as it is in itſelf an equitable Propoſal, but as it may tend to preſerve that Union and Harmony between the Proprietaries and People, ſo evidently advantageous to both.

Signed, by Order of the Houſe, ISAAC NORRIS, *Speaker.*"

The PROPRIETARIES ANSWER to the *Repreſentation* of the HOUSE of REPRESENTATIVES.

Laid before the Houſe, May 23, 1753.

GENTLEMEN,

Proprietaries *Anſwer* to the Repreſentation of the Aſſembly; and the *Report* of a Committee of Aſſembly on ſaid Anſwer.

1. *THE true and real Intereſt of the People whom you repreſent is, as it ought to be, the principal Object of our Concern: We ſhall, on all Occaſions, ſhew them that we have it conſtantly in View: We will uſe our utmoſt Endeavours to procure it, at the Expence of our own private Fortunes, whenever it appears to us neceſſary; and, in conſidering the Matter of your Repreſentation, ſhall endeavour to act ſuch a Part as would be thought juſt, by Perſons wholly diſintereſted, both with regard to us and them.*

2. *That the Repreſentatives of the People are not ſo diſintereſted, ſeems moſt certain; wherefore, ſuppoſing they ſaw this Matter in a Light very different from that in which it appears to us, and that they were not actuated by any Inclination on the one Hand to oppoſe our Intereſt, or on the other to influence the weaker Part of the Electors by appearing zealous for theirs (which we would truſt and hope is the Caſe) yet we may continue to differ in Sentiments from them on the Neceſſity of the deſired Aſſiſtance,*

REPORT on the PROPRIETARIES *Anſwer*, &c.

In Obedience to the Order of the Houſe, your Committee have conſidered the Repreſentation *made by a former Aſſembly to the Proprietaries concerning* Indian *Affairs, with their* Anſwer *delivered to this Houſe; and ſince all further Application to the Proprietaries on the Subject of that Repreſentation is now forbidden, and they ſeem to require that their Anſwer ſhould be put on the Minutes of Aſſembly, we are of Opinion that the Repreſentation not hitherto made public ſhould accompany it, with ſuch of the following Remarks made on each Paragraph of the ſaid Anſwer as the Houſe ſhall think proper.*

1. ON the firſt Paragraph of the Anſwer, we ſhall juſt obſerve, that the Declaration it contains is a noble One, and worthy of the Rank our Proprietaries hold among us; we only wiſh that in the preſent Caſe they had thought fit to give a Proof of the Sincerity with which it is made, ſuch as would have been ſatisfactory to others, ſince our Aſſemblies are eſteemed intereſted Judges.

2. The Inſinuation in the ſecond Paragraph, as if the Aſſembly were actuated by any Inclination to oppoſe the Proprietary Intereſt, we look upon to be injurious; and as groundleſs as the other Suppoſition, that the Members might have in View their future Election, of which we ſhall take farther Notice when we come to the ſixth Paragraph, where it is again repeated. No Inſtance can be given of that Aſſembly's oppoſing, or attempting to oppoſe, the Proprietary Intereſt.

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Assistance, without being liable to any Imputation of neglecting the Interest of the Province in the Opinion of the World.

Interest. It rather appears that they thought they were consulting those Interests *in the very Point in Question*, if it be consistent with the Proprietary Interest to have a good Understanding with the People; since the Representation expressly proposed a Method of preventing Misunderstandings for the future.

3. *After we had ordered our Governor to give you the Answer, which he did, to your former Application, we had no Reason to expect a Repetition of the Application directly to ourselves; as you might well suppose we had considered the Matter before we had returned our first Answer, and the Repeating the Requeſt could only produce the Repeating the Answer; the Occasion for which does not appear to us. It is possible, that one Purpose may be, in order to shew, more publicly, this Difference in Opinion between us and yourselves; and if that was ever intended, it will be convenient that we should set this Matter in a clear Light, (although it may make our Answer longer than we could wish) that the true State of the Matter may appear.*

3. In the third Paragraph the Representation is treated as a mere Repetition of a former Application, and therefore improper, as "re-"peating the Requeſt could only produce the "Repeating the Answer:" But the Representation appears to your Committee to contain, not only a Repetition of the Requeſt, but new Reasons in Support of it, and Answers to such as had been given for refusing it. And such a Repetition of an Application we think justifiable in all Cases; except where we can be sure that the first Thoughts of the Persons applied to, are infallibly right; or if wrong, that they are incapable of hearing Reason.

4. *We did not speak our own Sentiments only when we before said, we were under no greater Obligation to contribute to the public Charges than any Chief Governor of another Colony: That was the Opinion of the Lords of Trade, when, upon an Application made to the King, by many considerable Inhabitants of the Province, that he would be pleased to give some Orders for their Defence; the Counsel, employed by the Agent of the House of Representatives, insisted, that, if any such Preparations were necessary, the Proprietaries ought to be at the Expence of them: But their Lordships declared it their Opinion, that we were not obliged to be at any Expence of that Nature, more than any other Governor in Chief of the King's Colonies.*

4. With Regard to the Opinion said to be declared by the Lords of Trade, "that our "Proprietaries were no more obliged to con-"tribute to Public Charges than any other Go-"vernor in Chief of the King's Colonies;" your Committee presume to suppose their Lordships could only mean, that as Governor in Chief the Proprietaries were not obliged *by Law*; and not, that as Proprietaries they were not obliged *in Equity*. The latter is the Point at present in Dispute between the Proprietaries and People of *Pennsylvania*, though in this Paragraph evaded. The Assembly mention no other Obligation but such as in their Opinion arises from Reason and Justice; they humbly submit their Reasons to the Proprietaries Consideration, and from their Equity only, they hope a Compliance with the Requeſt. The Position understood as the Proprietaries would understand it, must as well hold good among the *Governed* as the *Governors* of the Colonies; for should the wealthiest Inhabitant say, he ought to pay no more towards public Charges than any other Inhabitant, he would be right, considering him merely as an Inhabitant; but as a Possessor of Property, he would be wrong; and therefore Laws are made, obliging such as would not otherwise be just, to pay in Proportion to their Substance.

5. *We are sensible that our honoured Father in the first Settlement of the Province, and at all Times after, was strictly careful to do Justice to the* Indians, *and purchased Land from them before it was settled; but, we believe, always at his own Charge; at least we do not find a single Instance of a Purchase having been made at the Expence of the People. So that what Share they had in such Purchases, we are at a Loss to know, other than the Benefits and Conveniences which arose from the mutual Exchange of friendly Offices with the Natives.*

5. The fifth Paragraph seems intended to combat an Assertion that the Purchases from the *Indians* were made with the People's Money. As we find no such Assertion in the Representation, we do not think it necessary at present to enquire how far, or in what Instances, the People have had a Share directly or indirectly in any such Purchases. The Representation only intimates, that the House conceived, Treaties for the Purchase of Land were made on more reasonable Terms to the Proprietaries for the Provincial Presents accompanying such Treaties: And that this was an additional Reason why the Proprietaries should bear a proportionable Part, at least, of the Expence of such Presents; since, besides their Share of "the common Benefits and "Conveniencies, which arise from the mutual Exchange of Friendly Offices with the *Indians*," they reap a particular Advantage to themselves, and that a very considerable One. This Reason we apprehend is not answered in the present Paragraph; it is only evaded, by changing the State of the Question. A Subtlety, in our Opinion, unworthy the Dignity of the Proprietaries and Chief Governors of a Province.

6. *Had the necessary public Charges amounted to more than the Revenue of the Province, and a general Tax been laid on the People to defray the same, there might then have been some Colour to desire that we should contribute; but as no such Tax has, for very many Years been, or need to be laid, and the Charge of Government amounts to little more than the one Half of the common and ordinary Revenue, the pressing thus unseasonbaly for our Contribution, appears, we conceive, as an Attempt to induce*

6. On the sixth Paragraph we would observe, that the Requeſt to the Proprietaries, that they would be pleased *to bear a Part* of *Indian* Expences, was founded on the supposed Equity of the Case; and that they would consent to *settle the Proportion* to be paid by them, was proposed as a Means of preventing Dissatisfactions between them and the People. To these Points, this Paragraph only answers, that the People *are able enough* to pay these Expences without the

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duce the weakeſt of the People to imagine yourſelves to have an uncommon Regard to their Intereſts, and to be therefore the moſt proper Perſons to be continued as their Repreſentatives; and the Matters which might the rather induce us ſo to think, are the ſole mn Repetition of this Requeſt, and treating it as if it was a Matter of great Value and Conſequence; the Time of making your laſt Repreſentation, juſt before an Election; and the printing the Report, and moſt extraordinary Reſolutions, which were the Foundation of ſuch your Repreſentation, in your Votes, long before your Addreſs could, by any Poſſibility, come to our Hands; which are ſuch Matters as could not eſcape our Obſervation, and which would almoſt perſuade us, that is was intended as an Addreſs to the People, rather than to us.

Aſſiſtance of the Proprietaries. This likewiſe ſeems to be ſtarting a new Queſtion, and one that is beſide the preſent Purpoſe: For though it were true that the People are *able to pay*, it does not follow that they ſhould therefore *pay unjuſtly*, nor is it likely that they will be *pleaſed* and *ſatisfied* with ſo doing, for ſuch a Reaſon. The Proprietaries are likewiſe *able to pay*, they have Revenue enough, but they do not think this a ſufficient Reaſon even to *pay a Part*, why then ſhould it be thought ſufficient to induce us to *pay the Whole?* The Charge contained in this Paragraph, "that the Application was only an "Attempt to induce the weakeſt of the People "to imagine the Houſe had an uncommon Re-"gard to their Intereſts, and were therefore the "moſt proper Perſons to be continued their Repreſentatives at the enſuing Election;" your Committee think an abſolute Miſtake, and unſupported by the leaſt Degree of Probability. For there had not been for ſome Years, nor was there expected to be, nor has there ſince been, any Conteſt at Elections between the Proprietary and popular Intereſts; nor if there had, would it have been neceſſary to take ſuch Meaſures, the Proprietaries having, of late Years, no formidable Share of the People's Love and Eſteem. Nor was the ſuppoſed Addreſs in Fact made to the People; for the Repreſentation has never yet been publiſhed; nor were the Votes containing thoſe Reſolutions publiſhed till after the Election was over. Nor is the Situation of an Aſſembly-man here ſo advantageous, as to make it worth his while to uſe Artifice for procuring a Re-election; for when the Smallneſs of the Allowance, the Expence of Living, the Time he is abſent from his own Affairs, and other Inconveniences, are conſidered, none will ſuppoſe he can be a Gainer by ſerving the Public in that Station.

7. *Wherefore, on this Occaſion, it is neceſſary that we ſhould inform the People, through yourſelves, their Repreſentatives, that as, by the Conſtitution, our Conſent is neceſſary to their Laws, at the ſame Time that they have an undoubted Right to ſuch as are neceſſary for the Defence and real Service of the Country; ſo it will tend the better to facilitate the ſeveral Matters which muſt be tranſacted with us, for their Repreſentatives to ſhew a Regard to us and our Intereſt: For, conſidering the Rank which the Crown has been pleaſed to give us in* Pennſylvania, *we ſhall expect from the People's Repreſentatives, on all Occaſions, a Treatment ſuitable thereto; and that, whilſt we deſire to govern the Province according to Law only, they ſhould be as careful to ſupport our Intereſts, as we ſhall always be to ſupport theirs.*

7. But whether Aſſembly-men may or may not expect any gainful Advantages from that Station, we find our Chief Governors informing us in pretty plain Terms in the ſeventh Paragraph, that they themſelves are not without ſuch Expectations from *theirs*. They tell us, "their "Conſent is *neceſſary* to our Laws, and that it "will tend the better to *facilitate* the Matters "which muſt be tranſacted with them, for the "Repreſentatives to ſhew a Regard to their "INTEREST." That is, as we underſtand it, though the Proprietaries have a Deputy here, ſupported by the Province, who is or ought to be fully impowered to paſs all Laws *neceſſary for the Service of the Country*, yet, before we can obtain ſuch Laws, we muſt *facilitate their Paſſage*, by paying Money for the Proprietaries which they ought to pay, or in ſome other Shape make it their *particular* INTEREST to paſs them. We hope, however, that if this Practice has ever been *begun*, it will never be *continued* in this Province; and that, ſince, as this very Paragraph allows, we have an undoubted Right to ſuch Laws, we ſhall be always able to obtain them from the Goodneſs of our Sovereign, without going to Market for them to a Subject.

Yet however eaſy it may be to underſtand that Part of this Paragraph which relates to the Proprietaries *Intereſt*, your Committee are at a Loſs to conceive why, in the other Part of it, the People are to be acquainted, "that the Crown has been pleaſed to give the Proprietaries a *Rank*, "and that they expect from the Repreſentatives a *Treatment* ſuitable thereto." We cannot find on peruſing the Repreſentation in Queſtion, that it contains any Treatment unſuitable to their Rank. The Reſolve of the Houſe was, that to prevent Diſſatisfactions on all Sides, they ſhould be requeſted, in the moſt *reaſonable* and *moſt reſpectful* Manner, to agree upon a Proportion of *Indian* Charges to be paid by them and the Province according to Juſtice: And it may be ſubmitted to the Judgment of all impartial Perſons, whether the Repreſentation drawn in Purſuance of the Reſolve, was not both *reaſonable* in itſelf, and *reſpectful* in the Manner. It was not, as the Proprietaries repreſent it, an Addreſs to the Public. It is not to this Day made public. It was a private Application to themſelves, tranſmitted to them through the Hands of their Governor. Their *true* INTEREST (which they will always find to conſiſt in juſt, equitable and generous Meaſures, and in ſecuring the Affections of their People) was conſulted in it; and one ſuitable Means propoſed to obtain that End.——As to *Rank*, the Proprietaries may remember, that the Crown has likewiſe been pleaſed to give the Aſſemblies of this Province a Rank; a Rank which they hold, *not by hereditary Deſcent*, but as they are the voluntary Choice of a free People, unbribed, and even unſolicited. But they are ſenſible that *true Reſpect* is not neceſſarily connected with *Rank*, and that it is only from a Courſe of Action ſuitable to that Rank they can hope to obtain it.

8. *We are truly concerned, that you lay us under the Neceſſity of acquainting the Public with the State of the Revenue of the Province; you have, in Part done it already, by acknowledging the Amount of the*

8. Your Committee are quite ſurprized at the Concern the Proprietaries are pleaſed to expreſs in their eighth Paragraph, on their being, as they ſay, laid under a Neceſſity of acquainting the

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the Excise to be Three Thousand Pounds *a Year. The Interest of the Paper Money, as we conceive, is more than that Sum, which makes the common Revenue of the Province above* Six Thousand Pounds *a Year; the annual Expence of Government for a Series of Years (including* Indian *Charges) amounts to little more than Half that Sum: The Interest is paid by People who, no Doubt, find greater Advantage in the Use of the Money than the Interest they pay for it, otherwise they would not be so solicitous to be admitted to borrow as they always have been. That Interest Money therefore cannot, with any Propriety, be called a Tax laid on the Province, or a Burden on the Inhabitants. The Excise itself is not a general Tax, to which all the Inhabitants must contribute, as it is paid by such only who buy Wine and spirituous Liquors, under certain Quantities; so that many People pay nothing of that Tax. Of all this Revenue, about* Four Hundred Pounds *a Year has, on an Average for Twenty Years past, (and great Part of that Time during War) been expended in Presents to the* Indians, *and Charges on their Account; which we cannot conceive to be a large Sum, in Proportion to the Revenue of the Province, for so great and important a Service as that of keeping the United Nations of* Indians *in the Interest of* Great-Britain: *We believe every disinterested Person will think the Sum very small, and, from the Manner of its being raised, not at all burdensome to the People: Besides which, had not Half that Money been expended on those Accounts, it is most certain all the same Excise would have been paid.*

the Public with the State of the Revenue of the Province: As if the State of that Revenue had ever been a Secret; when it is well known, and the Proprietaries themselves know, that the Public Accounts are yearly settled, stated, printed, and published by the Assembly, and have been so for these Thirty Years past. Whatever private Reasons the Proprietaries may have to make a Secret of their Revenue, we know of none to make one of the Revenue of the Province, nor has it ever been attempted.——Their following Observations, concerning the Nature of our Taxes, and the Distinction between general and particular Taxes, seem to your Committee not so just and accurate as might be expected: For we cannot conceive, that the Willingness of People to subject themselves to the Payment of Interest or Excise, by taking Money on Loan, or consuming spirituous Liquors, makes either the one or the other less a Tax. The Manner of laying a Tax, the easy Method of levying it, and the Benefits arising from the Disposition of it, may all tend to induce People to pay it willingly; yet it is still a Tax. And indeed all Taxes ought, upon the whole, to produce greater Good to a People, than the Money kept in their Pockets could do: In such Case, Taxes are no Burdens; but otherwise they are. Taxes, seemingly particular, are also more general than they are often supposed to be: The labouring Man must live:——Excise the Materials of his Subsistence, and he generally finds Means to get more for his Labour.

After estimating our whole present Revenue, as if it had been the same for Twenty Years past, d would certainly continue, though the Proprietaries know it depends on temporary Acts near piring, the Renewal of which is at best dubious, they conclude that *Four Hundred Pounds* a Year *Indian* Expences is a small Sum, and that we are under no Necessity of being frugal, on this Acunt, of the public Money. This *Four Hundred* a Year is the Sum that they find has been paid an Average for Twenty Years past, and they take no Notice of its being a growing Charge, and t for the Four last Years before the Representation it amounted to near *Twelve Hundred* a Year, ich we conceive *disinterested Persons* will think a very large Sum: And although the same Excise ght have been raised, if not Half that Money had been expended, it does not seem to us to fol, that the Proprietaries ought not to have paid their just Proportion of it. If the Sum be small, ir Proportion of it must have been smaller: And the Money, so saved, might have been applied ome other Use, beneficial to the Public; or have remained ready in the Treasury for any Emercy.

. *The whole Sum paid in Twenty Years for* ian *Services, is not more than, on a common putation, our Family has paid in the same Time Duties and Excises here, for the Support of his esty's Government; and which we chose to men- in Answer to that Part of your Representa- wherein you, unadvisedly, publish to the World, our Estate, in* America, *is exempt from the lens borne by our Fellow Subjects in* Great- in; *such Matter might much more properly been avoided; and at the same Time that we you, that we do pay all other Taxes here, that nd only excepted, we must advise you to be very l, not to put People here in Mind of that single ption. Several Proposals have been made for Taxes on* North-America, *and it is most easy to foresee, that the self-same Act of Parliament that shall em on our, will also lay them on your Estates, and on those of your Constituents.*

9. On the Ninth Paragraph your Committee will only observe, that the People of *Pennsylvania* do likewise pay Duties and Excise for the Support of his Majesty's Government, and other Taxes, which, considering their Ability, are perhaps proportionably equal to those paid by the Proprietary Family, or any other Subjects in *England*. We pay indeed as much as an Infant Colony can well bear, and we hope and believe the Justice of a *British* Parliament will never burden us with more. The Proprietaries Exemption was not published till now at their own Instance. It was made use of as a private Motive to themselves only in the Representation.

. *We cannot allow that you have always paid Interpreter to his Satisfaction, because we know ve charged ourselves with Gratifications to when the Assembly has refused to pay him he thought his Services deserved; and we no Doubt he can remember such Instances: er, with respect to any Expences of that nd many others here, we entered into them any Expectation of being repaid, and should far beneath us to send the Accounts of them House of Representatives, as your Agent,*

10. On Enquiry, we have Reason to believe that the Interpreter's Bills of Charge against the Province, have always been allowed and paid; and where his Accounts have contained blank Articles for his Services, he has been asked what would satisfy him, and the same has been allowed. We suppose the Instances alluded to, wherein the Assembly did not fully satisfy him, must have been such as the Proprietaries were concerned in by the Purchase of Lands, and a Part might accordingly be left for them to pay. — We be-

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employed by yourſelves, might do for the Expences incurred by him. What we might reaſonably expect, is, a thankful Acceptance of our Endeavours to ſerve the Public; and if you do not think proper to make even that Return, we ſhall, nevertheleſs, be fully ſatisfied with the Conſciouſneſs of having rendered the Province all the Services in our Power.

11. *We do not conceive that any Act of Aſſembly does, or can eſtabliſh, what you call a Monopoly in us for the Purchaſe of Lands: We derive no Right or Property from any ſuch Law. It is under the King's Royal Charter that we have the ſole Right to make ſuch Purchaſes; and it is under that ſame Charter that every Settler has a Right, through us, to the Eſtate he poſſeſſes in the Province. The Act itſelf, which you ſeem to allude to, acknowledges this Right to be ſo granted to us by the Charter, and is only declaratory thereof to the People, advertiſing them of a certain Truth, that they are liable, according to the Laws of* Great-Britain, *to Penalties for contravening ſuch Right.*

12. *Your Aſſertion that Treaties for Land are made at a leſs Expence to us, on Account of Provincial Preſents being given at the ſame Time, does not appear to us to be founded on Fact: The laſt Purchaſe was made on no other Account, but purely to ſave the Province the Expence of making another Preſent to ſome* Indians *who came down after the Time that the principal Deputation had received the Preſents intended for the Whole, and were on their Return back; and the Land was bought very dear on that Account. Other Treaties for Land have been made when Provincial Preſents have not been given; and we do not, or ever did, deſire, that the Inhabitants ſhould bear any Part of the Expence of* Indians *who come down ſolely at our Requeſt to conſent to the Sale of Lands, unleſs they ſtay on other public Buſineſs alſo; and whenever they have come down on both Accounts, we are ſenſible the Expence has beeen divided in a Manner very favourable to the Public.*

13. *We are far from deſiring to avoid contributing to any public Expence which it is reaſonable we ſhould bear a Part of, although our Eſtate is not, by Law, liable to be taxed. As we already have been, ſo we doubt not we always ſhall be, at a far greater Expence in attending the Affairs of the Province, than our Eſtate could be taxed at, if all the Eſtates in the Province were rated to the Public Charges, which would be the only fair Way of eſtabliſhing a Proportion. If we were willing to conſent to any ſuch Matter, the Value of our Eſtate, and of the Eſtates of all the Inhabitants, ought to be conſidered, and the whole Expence proportionably laid upon the whole Value; in which Caſe, you would find, that the Expence which we voluntarily ſubmit to, out of Affection to the Inhabitants, is much more than ſuch our Proportion ſo laid would amount to: Beſides theſe general Expences, the Firſt of us ſent Cannon, at his own Charge, to the Amount of above* Four Hundred Pounds Sterling, *for the Defence of our City of* Philadelphia, *neglected by a late Houſe of Repreſentatives; which, alone, is ſuch a Sum as the Proportion of a Tax on our Eſtate would not in many Years amount to. And, as this is the Caſe, we are not diſpoſed to enter into any Agreement with the Houſe of Repreſentatives for Payment of any particular Proportion of* Indian *or other public Expences, but ſhall leave it to them (to whom it of Right belongs) to provide for ſuch Expences, as they ſhall judge neceſſary for the Public Service.*

lieve our Aſſemblies always have been, and we hope always will be, ready to acknowledge gratefully any Services rendered to the Public by the Proprietaries; and not merely to acknowledge them, but to make adequate Returns.

11. Whether the Monopoly of Lands, in Favour of the Proprietary, was eſtabliſhed by the Royal Grant, or by Acts of Aſſembly, or by both, your Committee do not think it material at this Time to diſpute, ſince the Reaſoning in the Repreſentation remains the ſame, *viz.* That thoſe in whoſe Favour ſuch Monopoly was erected, ought at leaſt to bear a Part of the Expence neceſſary to ſecure them the full Benefit of it.

12. In the Twelfth Paragraph, three Things appear ſomewhat extraordinary to your Committee. 1. That the Proprietaries ſhould deny that Treaties for Land are made at leſs Expence an Account of Provincial Preſents accompanying them; which we think any diſintereſted Judge would at leaſt allow to be probable. 2. That they ſhould ſay the laſt Purchaſe was made on *no other Account*, but *purely* to ſave the Province the Expence of a Preſent; as if they had no Occaſion to purchaſe more Land of the *Indians*, or found no Advantage in it. 3. That to prove ſuch Purchaſes were not the cheaper on Account of Provincial Preſents accompanying them, they ſhould give an Inſtance in which, they themſelves ſay, the Purchaſe was the dearer for want of ſuch Preſents. If Purchaſes are dearer to the Proprietaries when no Provincial Preſents accompany them, does not this clearly confirm the Aſſertion of the Aſſembly, that they are the cheaper when there are ſuch Preſents? And does it not prove what the Proprietaries deny?

13. It appears by their Thirteenth Paragraph that the Proprietaries think the Part they voluntarily ſubmit to bear, and expect always to bear, of public Expences, is greater than their Proportion, equitably laid, would amount to. If this be ſo, and they are, as they ſay, "far from deſiring "to avoid contributing to any public Expence "which it is *reaſonable* they ſhould bear a Part "of, although their Eſtate is not by Law liable "to be taxed;" your Committee are at a Loſs to conceive, why they ſhould refuſe, "to enter "into any Agreement for the Payment of any "particular Proportion of *Indian* or other public "Expences," when ſuch Agreement might ſave them Money, and is propoſed to prevent Diſſatisfactions, and to preſerve Union and Harmony between them and the People; unleſs it be to ſhew their utter Contempt of ſuch Union and Harmony, and how much they are above valuing the People's Regard.

The Charge on former Aſſemblies, that they neglected the Defence of *the Proprietaries City*, your Committee cannot but think unkind, when it is known to the World, that they gave many *Thouſand Pounds* during the War to the King's Uſe, beſides paying near *Three Thouſand Pounds* at one Time, to make good the Damages done to the Maſters of Servants, by the irregular and oppreſſive Proceedings of the Proprietaries Lieutenant; and that their not providing Cannon to defend the City, was not from Neglect, but other Conſiderations ſet forth at large in the printed Proceedings of thoſe Times, needleſs now to

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to be repeated. At the same Time it may be remembered, that though the Defence of the Proprietaries City, as they are pleased to term it, by Batteries of Cannon, was more their Interest (we will not say Duty) than any other Persons whatsoever, and they now represent it as a Thing so necessary; yet they themselves really neglected, and even discouraged, it; while some private Gentlemen gave Sums nearly equal to that they mention, and many contributed vastly more, considering their Circumstances, by which Means those Batteries were not only compleated in Season, but the Defence of both Town and Country in that Way provided for; whereas this boasted Assistance of *Four Hundred Pounds* worth of Cannon, was sent like *Venetian* Succours, after the Wars were over. Yet we doubt not, but the Proprietary who sent them has long since had the Thanks of those who received them, though we cannot learn that they ever were favoured with any from him, for what they did and expended in Defence of his Share of the Province Property.

14. *As you desire to appear willing, on your Parts, to ease your Constituents of a small Part of the* Indian *Expence, by throwing it upon us, we shall, on our Part, and hereby do, recommend it to you, to give them a real and far greater Relief, by taking off a large Share of that only Tax which is borne by them. As the general Expence amounts to little more than* Three Thousand Pounds *a Year, we conceive it may very well be provided for out of the Interest of the Paper Money, and one Half of the present Excise; especially if we shall be induced, from the State of your Trade (which we expect soon to receive) to consent to an Encrease of your Paper Currency. This would ease the Inhabitants of about* Fifteen Hundred Pounds *a Year, which would be felt by many of them, when they would not be sensible of the Trifle you propose we should contribute to the Public Expences. We have directed the Governor to consent to such a Law when you shall think fit to present it to him.*

15. *As we shall ever in the first Place endeavour to promote the real Interests of the good People of* Pennsylvania, *we make no Doubt of preserving an Union and Harmony between us and them, unless Men of warm or uneasy Spirits should unhappily procure themselves to be elected for Representatives, and should, for the Supporting of their own private Views, or Interests, influence their Brethren, otherwise honest and well-designing, to espouse their Cause; in such Case, indeed, Disputes may arise, wherein we shall engage with the utmost Reluctance; but even then, as we shall make the general Good the Rule of our Actions, we shall, on all such Occasions, if ever they should happen, steadily, and without wavering, pursue Measures the most likely to conduce to that good End.*

16. *The Representatives being annually chosen, we are aware that we are not writing now to the same Persons who sent the Representation to us; the Persons most forward to push on a Measure (which, from the Answer, we directed our* Governor *to give to the former Application he was desired to make to us, must be supposed disagreeable) may not now be in the House, but may be succeeded by more prudent Persons, returned for their* Places, *who would be careful not to press a Matter too far, in which the Rights of the People are not really concerned: However, the Answer we give must be to the Representation sent us. And we desire, in any Matter of the like Nature, that the House will be satisfied with such an Answer as the Governor may have Orders to give on our Behalf.*

THOMAS PENN,
RICHARD PENN."

14. The Fourteenth Paragraph of the Proprietaries Answer seems calculated merely for the same Design with which they charge the Representation, *viz.* to amuse the weaker Part of the People.——If they are really disposed to favour the Drinkers of spirituous Liquors, they may do it without a Law, by instructing their Lieutenants to abate Half the Licence Fees, which would enable the Retailers to sell proportionably cheaper; or to refuse Licences to more than Half the present Number of Public Houses, which might prevent the Ruin of many Families, and the great Increase of Idleness, Drunkenness and other Immoralities among us.

15. In Return to the good Resolutions expressed by the Proprietaries in their fifteenth Section, your Committee hope that future, as well as past Assemblies, will likewise endeavour to make the Public Good the Rule of their Actions, and upon all Occasions consult the *true* Interest and Honour of the Proprietary Family, whatever may be the Sentiments or Conduct of any of its particular Branches. To this End, we think the honest and free Remarks contained in this Report, may be more conducive than a Thousand flattering Addresses. And we hope, that when the Proprietaries shall think fit to reconsider this Matter, they will be persuaded, that agreeing to an equitable Proportion of Expence will be a good Means of taking away one Handle of Dissention from "Men of warm uneasy Spirits, if such "should ever unhappily procure themselves to "be elected."

16. Yet if the Proprietaries are really desirous of preserving an Union and Harmony between themselves and this People, we cannot but be surprized at their last Paragraph, whereby they endeavour to cut off the Assemblies Access to them, in Cases where the Answer received from their Deputies, may not be thought agreeable to the Public Good. No King of *England*, as we can remember, has ever taken on himself such State, as to refuse personal Applications from the meanest of his Subjects, where the Redress of a Grievance could not be obtained of his Officers. Even Sultans, Sophys, and other Eastern absolute Monarchs, will, it is said, sometimes sit whole Days to hear the Complaints and Petitions of their very Slaves; and are the Proprietaries of *Pennsylvania* become too great to be addressed by the Representatives of the Freemen of their Province? If they must not be reasoned with, because they have *given* Instructions, nor their Deputy because he has *received* them; our Meetings and Deliberations are henceforth useless; we have only to know their Will, and to obey.

To conclude: If this Province must be at more than *Two Thousand Pounds* a Year Expence, to support a Proprietary's Deputy, who shall not be at Liberty to use his own Judgment in passing Laws [as is intimated to us in the fourteenth Section of the Answer we have been considering] but the Assent must be obtained from Chief Governors, at Three Thousand Miles Distance, often ignorant or misinformed in our Affairs, and who will not be applied to or reasoned with when they have given Instructions, we cannot but esteem those Colonies that are under the immediate Care of the Crown in a much more eligible Situation: And our sincere Regard for the Memory of our first Proprietary, must make us apprehend for his Children, that if they follow the Advice of *Re-*

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hoboam's Counſellors, they will, like him, abſolutely loſe—at leaſt the Affections of their People. A Loſs, which however they affect to deſpiſe, will be found of more Conſequence to them than they ſeem at preſent to be aware of.

All which is humbly ſubmitted to the Correction of the Houſe, by

September 11, 1753.

EVAN MORGAN, BENJAMIN FRANKLIN, HUGH ROBERTS, MAHLON KIRKBRIDE, GEORGE ASHBRIDGE, ARTHUR PATTERSON, JOHN WRIGHT, JOHN ARMSTRONG, MOSES STARR, JAMES BURNSIDE."

Reſolved, N. C. D. That it is the Opinion of this Houſe, that the late Governor, who was, we preſume, as much bound by the additional Inſtruction to Colonel *Thomas* in 1740, as our preſent Governor is or can be, has clearly admitted, in his Reaſonings with our laſt Aſſembly, "that it was an Abſurdity too glaring, to ſuppoſe that any Go-"vernment would voluntarily tie up the Hands of its Subjects from ſerving it, by ſuch "Means as they are able, in Caſes of great Emergency;" and that Colonel *Thomas*, in paſſing the Act for granting *Five Thouſand Pounds* to the King's Uſe in the Year 1746, by extending the Exciſe Act for Ten Years, was ſo far from acting contrary to the Inſtruction he had received from the Lords Juſtices in 1740, that "the very contrary was evi-"dent;" and that the ſaid Inſtruction was not binding upon him from paſſing a Bill, in Caſes of great Emergency, of the ſame Tenor with our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, which our Governor has now been pleaſed to refuſe his Aſſent to.

Reſolved. N, C. D. That it is the Opinion of this Houſe, that the Governor is undoubtedly bound by Proprietary Inſtructions; and that they may be, and we believe they really are, or ſome of them are, ſuch as, independent of the Royal Inſtruction, limit or reſtrain him from paſſing Acts, which by the Royal and Provincial Charters, we have an undoubted Right to offer, and by which he has, or ought to have, full Powers to give his Aſſent to, as Governor of this Province.

Reſolved, N. C. D. That it is the Opinion of this Houſe, that theſe Proprietary Inſtructions, or ſome one or more of them, is, or are, the principal, if not the ſole, Obſtruction to the Paſſing our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, in this Time of imminent Danger to the *Britiſh* Intereſt in *North-America*.

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *George Aſhbridge*, *Arthur Patterſon*, *Peter Worral*, *John Smith*, *David M'Connaughy*, *Moſes Starr* and *James Burnſide* be a Committee to prepare a Draught of an Anſwer to the Governor's two laſt Meſſages, and report the ſame to the Houſe.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 1. 1755. A Petition from *William Cuzzins*, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioner is informed that this Houſe is now about to appoint an Officer to meaſure all the Plank, Lumber, *&c.* exported from this Province, and the Petitioner, being well verſed in Menſuration, therefore prays to be appointed to the ſaid Office. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 2. The Committee appointed to prepare a Draught of an Anſwer to the Governor's two laſt Meſſages, reported the ſame to the Houſe; and it was read by Order, conſidered, and ordered to be again read in the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Draught of an Anſwer to the Governor's two laſt Meſſages was again read, and conſidered, agreed to with ſome Amendments, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Governor, by the Secretary, ſent down to the Houſe three Papers, entituled as follows, *viz.*

1. *A Letter to the Governor from* George Croghan; *dated* December 23, 1754.
2. *A Letter to the Secretary from* George Croghan; *dated* December 5, 1754.
3. *A Letter to the Secretary from* John Harris; *dated* Paxton, December 30, 1754.

The foregoing Letters were read, and ordered to lie on the Table for the Peruſal of the Members.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 3. The Anſwer to the Governor's two laſt Meſſages being tranſcribed, was again read and is as follows, *viz.*

May it pleaſe the GOVERNOR,

Aſſembly's Anſwer to the Governor's two laſt Meſſages.

WHEN we review the Conduct of our Predeceſſors in the ſame important Stations we have now the Honour to bear, and their repeated Struggles for continuing to us the invaluable Bleſſings we enjoy under our Charters; when we conſider their conſtant Acknowledgments of the Royal Clemency and Goodneſs in granting them to us; their Gratitude to our worthy Founder and Proprietary for confirming thoſe Privileges, and the

the Succeſs which has attended their honeſt Endeavours; it animates us, under our moſt gracious King, of whoſe paternal Regard and Tenderneſs over us we have now the moſt engaging Inſtances, to purſue faithfully the Path they have trod before us, in which we hope, and have no Reaſon to doubt, the Iſſue of ſo juſt a Cauſe, whenever it ſhall come before his Majeſty, or be made the Subject of a Parliamentary Enquiry. And the Governor ſurely will likewiſe conſider how he may ſtand acquitted under ſuch Enquiries, when the Reaſon of his preſent Conduct ſhall be examined into before ſuch impartial Judges. 1755. *January* 3.

Upon conſidering the Governor's Promiſe, that he would lay before us his Proprietary Inſtructions, ſo far as they regarded our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, "whenever the Public Service ſhould require it;" and yet on our Addreſs, which we apprehend we have an undoubted Right to, that he would now lay them before us, "as a Time when the Public Service requires it in a particular Manner," his abſolute Refuſal of granting this our reaſonable Requeſt; and likewiſe upon re-conſidering the Repreſentation of the Aſſembly to our Proprietaries in 1751, and their Anſwer, together with the other Minutes and Papers relating thereto, as well as the ſeveral Arguments of the laſt Aſſembly with our late Governor, when a Bill of the ſame Tenor of our preſent Bill lay before him, we have come to the following unanimous Reſolutions, *viz.*

That it is the Opinion of this Houſe, that the late Governor, who was, we preſume, as much bound by the additional Inſtruction to Colonel *Thomas*, in 1740, as our preſent Governor is or can be, has clearly admitted, in his Reaſonings with our laſt Aſſembly, "that it was an Abſurdity too glaring, to ſuppoſe that any Government would voluntarily tie up the Hands of its Subjects from ſerving it by ſuch Means as they are able in Caſes of great Emergency;" and that Colonel *Thomas*, in paſſing the Act for granting *Five Thouſand Pounds* for the King's Uſe, in the Year 1746, by extending the Exciſe Act for Ten Years, was ſo far from acting contrary to the Inſtruction he had received from the Lords Juſtices in 1740, that "the very contrary was evident;" and that the ſaid Inſtruction was not binding upon him from paſſing a Bill in Caſes of great Emergency, of the ſame Tenor with our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, which our Governor has now been pleaſed to refuſe his Aſſent to.

That it is the Opinion of this Houſe, that the Governor is undoubtedly bound by Proprietary Inſtructions; and that they may be, and we believe they really are, or ſome of them are, ſuch as independant of the Royal Inſtruction, limit or reſtrain him from paſſing Acts, which, by the Royal and Provincial Charters, we have an undoubted Right to offer, and by which he has, or ought to have, full Powers to give his Aſſent to, as Governor of this Province.

That it is the Opinion of this Houſe, that theſe Proprietary Inſtructions, or ſome one or more of them, is, or are, the principal, if not the ſole Obſtruction to the Paſſing our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, in this Time of imminent Danger to the *Britiſh* Intereſt in *North-America*.

May it pleaſe the Governor,

Theſe Reſolutions, which are forced from us, we have entered into with the utmoſt Reluctancy; and in Support of them, or any other Part of our preſent Conduct, we conceive it our indiſpenſible Duty to conduct ourſelves preciſely within the Bounds of Sincerity and ſober Reaſon, and to avoid every Thing that is not in our Opinion neceſſary to our own juſt Vindication.

As the Subſtance of theſe Reſolves has already been laid before the Governor, it has been in his Power to exonerate thoſe Proprietary Inſtructions from any Miſapprehenſion of ours, and it is in his Power ſtill to do it, by laying them before us, as our former Governors have done in like Caſes; and whenever he ſhall be pleaſed to do ſo, it will give us great Pleaſure to retract the Whole, or any Part of thoſe Reſolves. But till then, we preſume the Governor muſt allow we have good Reaſon to ſay, that we are under a Neceſſity of making our humble Application to the Crown in Support of our Civil and Religious Liberties. For if ſuch Proprietary Inſtructions had not interfered, it was moſt natural, and would have been moſt agreeable to us, and accordingly, if the Caſe could admit it, we ſhould have requeſted the Governor's Aſſiſtance and Concurrence in an Addreſs to our Proprietaries, in Support of our Charter, as it regarded the Royal Inſtructions only. But under our preſent Circumſtances we apprehend theſe Proprietary Inſtructions are the principal, if not the ſole Reaſon that hinders the Paſſing our Bill, by which we were in Hopes of demonſtrating our Readineſs and Chearfulneſs in anſwering all the reaſonable Expectations of the Crown from his moſt loving and loyal Subjects of this Province. And therefore it is with extreme Concern we find our Governor, who is, or ought to be, ſet over us for our Protection, endeavouring to repreſent us in his Meſſage, of the Thirtieth of *December* laſt, in a Light we deteſt and abhor.

The Governor is but in the Beginning of his Adminiſtration, and if, when he received

1755. *January* 3. the Proprietaries Commiſſion, he was, "in a great Meaſure, a Stranger to our Conſtitu-"tion," we apprehend he ſtill continues a Stranger not only to our Conſtitution, but to the Inhabitants, if he does not certainly know, that the King has not a more loyal People among all his Subjects, than the Inhabitants are, and have ever been ſince the firſt Settlement of this Province; nevertheleſs, they are convinced they ought not to be governed by Proprietary Inſtructions in Oppoſition to their Charter, which is, in our Opinion, the Foundation and Sanction of our Civil and Religious Liberties; and eſpecially if theſe Inſtructions muſt be ſecreted from them, and by that Means the whole Country left without any known Rule of their Conduct. And it ſurprizes us extremely, that a Requeſt of this Houſe, reſpectfully addreſſed to the Governor, that he would be pleaſed to lay before us thoſe Inſtructions, or ſuch Part of them as might relate to the immediate Service of the Crown, and to the Preſervation of this his Majeſty's Colony, in in order that we might examine how far they interfered with that Allegiance the Proprietaries themſelves, and all of us, owe to the Crown, or with the Privileges granted by our Charters, ſhould be repreſented by our Governor as an Act that might have a Tendency to alienate the Affections of the People of this Province from his Majeſty's Perſon and Government, and thereby greatly obſtruct the Meaſures he is taking, at a vaſt Expence, for the Preſervation and Protection of his Subjects upon this Continent." That thus contending for the Rights granted us by the Royal Charter, which is the known Rule of our Conduct, ſhould have a Tendency of that Kind, under a King, who has been graciouſly pleaſed to declare, "That nothing in this World can give him ſo much Pleaſure as to ſee his Subjects a flouriſhing and happy People," is ſo foreign from our Thoughts, and we truſt will be ſo foreign to every impartial Conſtruction, that we may ſafely leave it without any further Remarks of our own. But if it ſhould have a Tendency to alienate the Affections of the People from being bound by private Proprietary Inſtructions, the Blame is not with us, who have never been conſulted upon them; and if we had been conſulted, ſhould have thought ourſelves obliged to declare, that we have a great Diſlike to Proprietary Inſtructions, and that ſo far as they are againſt the Prerogatives of the Crown, or an Infringement of our Charter, they are illegal, and "void in themſelves."

That "all Governors have conſtantly had Proprietary Inſtructions, from the firſt Settlement of this Province," we neither know, nor do we think it much concerns us, provided they relate to the Proprietary Property only: But this we do know, that occaſionally as they have interfered with the Paſſing of Acts, they have been repeatedly and unanimouſly reſolved by the Council and Repreſentatives of this Province "void in "themſelves," and "an Infringment upon the Privileges granted by Charter to the People of this Province." And our former Governor has declared, upon the Journals of our Houſe, and in a Letter to the Proprietary Family themſelves:

1. That ſome of the Inſtructions given to him conclude abſurdly, and therefore are impracticable.
2. That they are a poſitive Breach of the Charter of Privileges to the People. And,
3. That they are inconſiſtent with the legal Prerogative of the Crown ſettled by Act of Parliament.

And yet if ſuch Inſtructions as theſe muſt be binding in ſo high a Degree, as they appear to have been upon Colonel *Thomas*, when, in Support of his eighth Inſtruction laid before the Aſſembly in 1738, he declared, "that his Hands were tied up by that "Inſtruction, and no Conſideration in Life ſhould induce him to break it;" what muſt become of the Royal Prerogative, or the Rights of the People?

The Governor is pleaſed to ſay, "It is certainly true, that he has Proprietary In-"ſtructions, as he is informed all Governors, from the firſt Settlement of the Province, "have conſtantly had." Yet as Sir *William Keith* informs us, "that he was obliged, "in the Penalty of *One Thouſand Pounds Sterling*, for Reaſons beſt known to thoſe who "took ſuch Precautions as were never uſed before;" we may preſume, whatever Inſtructions had been given to former Governors, he was the Firſt who entered into penal Bonds for the true Performance of them. Here we think we may ſafely leave the Conſideration of Proprietary Inſtructions for the preſent, and we hope what we have ſaid on this Head will anſwer all the Objections ariſing from the Royal Inſtruction to Colonel *Thomas*, until the Governor may be pleaſed to convince us, that the Proprietary Inſtructions are not the principal or ſole Obſtruction to the Paſſing of our Bill.

In Anſwer to that Part of the Proprietary Inſtructions, the Governor has ſo chearfully laid before us, which we acknowledge to be an Act of Juſtice, for which we return him our Thanks, we beg Leave to ſay, that as it requires Money to be levied upon the People for providing Arms and Stores of War, and building Magazines, we are of Opinion it may be Time enough to deliberate upon it, when we are informed how far he is at Liberty by his Inſtructions to paſs our Bills; and whether himſelf, or the Repreſentatives of the People, are the proper Judges of the Manner of raiſing ſuch Monies. And when theſe our Civil and Religious Rights are ſecured, we cannot doubt all will riſe up as One

Man

Man in Behalf of our King, our Country and our Charters, according to our ſeveral Stations and Abilities. 1755. *January* 3.

We are really at a Loſs what to think of the Governor's Computation, either of our annual Revenues, or the Money due to the Province, which he is pleaſed to ſay, is between *Fourteen* and *Fifteen Thouſand Pounds*, beſides an Income of *Seven Thouſand Pounds per Annum*. This appears ſo extremely inaccurate, that we cannot imagine how that Computation ſhould ariſe; for on a bare Inſpection of our laſt Year's Accounts, there remained then outſtanding, on all the Mortgages, no more than *Eight Thouſand Four Hundred Sixty Pounds*, *Twelve Shillings* and *Three-pence*, and a Balance in the Truſtees Hands of *One Thouſand Two Hundred Fifty-five Pounds*, *Three Shillings* and *Five-pence*; and in the Hands of the Provincial Treaſurer, *Four Hundred Sixty-two Pounds*, *Ten Shillings* and *Ten-pence Three Farthings*; in the whole, *Ten Thouſand One Hundred Seventy-eight Pounds Six Shillings* and *Six-pence Three Farthings:* Out of which Sum, one Year's Intereſt ought to be deducted by the legal Allowance, which reduces the Whole to about *Seven Thouſand Pounds*, at that Settlement. Since which, it cannot be unknown to the Governor, what very large Sums we have paid for the Support of Government, and for *Indian* and other Expences, by which Means, our Treaſury and Loan-Office are almoſt quite exhauſted. But admitting the Governor's Computation in all its Extent, if *Twenty Thouſand Pounds*, as he is pleaſed to inform us, will go but a very little Way to raiſe and maintain ſuch Troops as he may think neceſſary, and without which we had better, in his Opinion, do nothing at all, how can the inconſiderable Sum we have any Power over, anſwer his Demands, though we ſhould ruin the Perſons now outſtanding in our Loan-Office, by the immediate Sale of their Lands? We are unwilling to make any further Remarks on this Head, which has, we find, been heretofore inſiſted upon by our late Governor, but carries with it, as we conceive, ſuch Appearances of Severity, without anſwering any good Purpoſe, that we think it our indiſpenſible Duty to oppoſe it, as far as in Juſtice we may; and now more eſpecially, when we have offered a Bill which would raiſe a generous Sum of Money immediately, for the Uſe of the Crown, in a Manner that would be moſt eaſy and moſt agreeable to us all. Whilſt we are upon this Article, as the Governor muſt be in a great Meaſure a Stranger to our Accounts, we take the Liberty to remark, that the Proprietary Patents make, as we are informed by the Truſtees, near one Half of the Mortgages now outſtanding. Theſe, after paying for their Lands out of the Money borrowed from the Province, are to improve them with the Remainder, if any; and as they muſt have Shelter for themſelves at leaſt, however mean, and ſome Land cleared for their Subſiſtence, it neceſſarily puts them in Arrears, let them be ever ſo honeſt and induſtrious; whilſt the Purchaſes of ſuch their Lands are conſtantly complied with on granting the Patents, the Bulk of which, we preſume, may have been remitted to *Great-Britain*, and makes a very ſenſible Diminution of the Silver and Gold current among us: So that all Ranks of People, however flouriſhing the Governor may be pleaſed to repreſent us, complain juſtly for Want of a due Medium to carry on our Trade: But as this Enquiry is not immediately before us, we ſhall at preſent leave it, and proceed to inform the Governor yet farther, that his Computation of our annual Income is alſo too high; for as our Exciſe, *communibus Annis*, yields about *Three Thouſand Pounds* (out of which *Five Hundred Pounds* is yearly applied towards ſinking the Sum of *Five Thouſand Pounds*, heretofore granted to the King's Uſe) the Intereſt payable into the Loan-Office is much about the ſame Sum: And his Error in the laſt Article, we preſume, might ariſe upon a Suppoſal that our whole Principal Sum of *Eighty Thouſand Pounds* was always yielding an Intereſt; but this has ever been found impracticable, as conſiderable Sums muſt be continually changing Hands, by Virtue of our re-emitting Acts. Beſides which, the Province has, out of that Principal Sum, lent conſiderable Parts of it, without yielding any Intereſt at all; and particularly a Debt from the City of *Philadelphia*, ſtill due upon the firſt and ſecond *Thirty Thouſand Pounds* Acts, long ſince expired. And until that is in our Hands, it would be unjuſt to compute an Intereſt ariſing from it, or upbraid us with it, as Money which ought to have been in our Hands by Law, whilſt ſome may think we have no Power to ſue for it by the Laws in being.

The Governor is pleaſed to ſay, "that he cannot conſent to paſs our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, it being a direct Breach of a Royal Inſtruction, intended to enforce an Act of Parliament of the Sixth of Queen ANNE, which we know has been ſhamefully ſlighted and diſregarded in this and the neighbouring Provinces."——The neighbouring Provinces muſt anſwer for themſelves; but ſo far as regards this Colony, we find, by the Votes of the Houſe, that whilſt Colonel *Thomas* had the Act before him, for emitting and re-emitting *Eighty Thouſand Pounds*, this very Act of the Sixth of Queen ANNE was conſidered, debated, and ſo fully explained, that although Exchange was then higher than at this Time, he (who was undoubtedly under the ſame Oaths and Bonds to obſerve the Acts of Trade with our preſent Governor) after mature Deliberation, gave his Aſſent to that Act on the Nineteenth

of

1755. *January* 3. of *May*, 1739; which, after having been recommended by the Merchants in *England* trading to this Province, as "an Act not only reaſonable, but likewiſe neceſſary for carrying on the Commerce of this Country," the King was pleaſed to confirm it in a full Council on the Twelfth Day of *May* following. What then the Governor does or can mean by ſaying, we know that this Province has ſhamefully ſlighted a Royal Inſtruction, intended to enforce an Act of the Sixth of Queen ANNE, is what we are intirely at a Loſs to imagine; neither can we conceive any good Reaſon, why our Governor ſhould chuſe to call our Bill for granting *Twenty Thouſand Pounds* for the King's Uſe, a Bill for ſtriking *Forty Thouſand Pounds*, without any further Explanation, though that Bill had been repeatedly under his Conſideration. It would be, perhaps, too unkind to ſuppoſe, as the Bill itſelf, and the Contents of it, would in all Probability be unknown to our Superiors, further than the Grant to the Crown, he could have the leaſt Intention to miſrepreſent the Purport of it, and for this Reaſon we leave it entirely to his own Reflection. The Title of that Bill is, *An Act for ſtriking* Forty Thouſand Pounds *in Bills of Credit, and for granting* Twenty Thouſand Pounds *thereof to the King's Uſe, and to provide a Fund for ſinking the ſame; and for applying the Remainder to the Exchange of torn and ragged Bills now current in this Province*; and the Governor well knows, it adds no more to our Paper Currency than the very *Twenty Thouſand Pounds* granted the King, and even that ſtruck for no other Reaſon than to anſwer the immediate Call of the Crown, and to make the Grant effectual.

The Governor has been pleaſed repeatedly to inform us, "That the *French* have al-"ready poſſeſſed themſelves of great Part of this Province, and that we are the very "Province invaded." And yet we find the *French* Forts, and their other Acquiſitions, on the *Ohio*, are conſtantly conſidered, and called in *Great-Britain* an Invaſion upon his Majeſty's Territory of *Virginia*. And we have now before us a Map, which we have good Reaſon to believe was made from Intelligences and Draughts, ſupplied by the Board of Trade, and by our Proprietaries; by which Map it appears that every Fort built by the *French*, either on *Buffalo* River, or on the *Ohio*, are beyond the Weſtern Boundaries of *Pennſylvania*; and we preſume the King may have granted large Tracts of Land to the Eaſtward of the Fort the *French* have built at the Forks of *Mohongahela*: But whether this Map prove true or otherwiſe, or whether our Weſtern Boundaries are rightly adjuſted by it, cannot immediately concern us, till they are undoubtedly aſcertained and agreed to; for till then the Earl of *Holderneſſe*, by his Letter of the Twenty-eighth of *Auguſt*, 1753, to which Sir *Thomas Robinſon's* two Letters expreſsly refer, has ſo minutely ſet down, and ſo carefully guarded the Terms upon which each Colony is to act in Regard to the *French* Encroachments, that we cannot think it would be prudent, or anſwer any good Purpoſe, to contravene them, whilſt the Crowns of *Great-Britain* and *France* continue in Amity with each other; and eſpecially as our King has now graciouſly interpoſed, and is certainly the moſt proper Judge of the Limits of his own Dominions in *America*. And therefore we think the Governor and ourſelves may ſafely leave it under that Direction, without engaging ourſelves in any Diſpute, which can or may ariſe concerning the Rights of the Crown, or the Property our Proprietaries may claim in thoſe Lands.

The Intelligence the Governor has lately received and laid before us, upon the Hearſay of One, and on the Depoſition of another *French* Deſerter, is unexpected, and indeed wonderful. It really appears ſo to us, that nigh Six Thouſand of the beſt Troops of *France* ſhould arrive, in Six Men of War, in the River St. *Lawrence*, and after aſcending that River and the Lakes, ſhould be now actually at the Lower Fort upon the *Ohio*; that they ſhould be able to carry with them a ſufficient Quantity of Proviſions and other Neceſſaries for ſo large a Body of Forces, to ſuſtain and accommodate them through the Winter in that uncultivated Country, and all this without the leaſt Account of their Embarkation in *Europe*, and without the leaſt Intelligence of their Paſſage or Arrival at the Place of their Deſtination, from any of the other Colonies, or from our own Back Settlements, from whence the Governor has been pleaſed to lay before us very late Letters and Accounts. It is true, theſe Depoſitions are made in a very critical Juncture, but they cannot have the ſame Force as they ought to carry with them, had the ſame Accounts been tranſmitted to us from *Oſwego*, near which they muſt neceſſarily have paſſed, and from whence we received very minute Accounts of the Paſſage of the *French* Forces, who firſt laid the Foundations of their Strength upon the *Ohio*. Nevertheleſs, as we have no Inclination nor any Intereſt in diſcrediting the Report, or diminiſhing the Numbers of the *French* there, which we acknowledge is abundantly too great, and has juſtly alarmed the *Britiſh* Nation, we ſhall leave the Arrival of theſe Forces, as well as Quality of them, upon their own Evidence.

We have now extended our Remarks upon the Governor's Meſſages to a much greater Length than we could have wiſhed or deſired, eſpecially as by thoſe Meſſages we find he is determined not to give his Aſſent to our Bill; and yet we entreat his Patience a little longer, to remark upon the Royal Inſtruction to Colonel *Thomas*, in 1740, and that

to

1755. *January* 3.

to Sir *William Keith*, in 1723. In respect to this last, our late Governor was pleased to inform us, "that he had caused the Minutes of Council, and all the Papers in that Office, to be very carefully inspected, without being able to discover the least Footsteps "of that, or any other Instruction to the like Purpose;" which appears truly surprizing to us, who had Reason to suppose that Sir *William Keith's* Message to the Assembly, on the Seventh of *May*, 1724, ought to appear upon the Minutes of Council; in which he says, "Herewith I send you the Perusal of an original Instruction, which I have received "from the Crown, in Relation to the Passing of private Acts of Assembly in this Province, by which I conceive is meant Acts relating to Privileges or Advantages granted "to particular Persons, and not to the Public in general; and I judge it will be proper "for you to cause a Copy of it to be entered upon your Journals, for your better Information in Cases of that Nature." And accordingly it is entered upon our Minutes of that Date. Now although we have Reason to think, from what has been remarked by our former Assemblies, that the Instruction to Colonel *Thomas*, in 1740, has, in a great Measure, if not wholly, answered all the Purposes for which it was issued; and because the same House of Commons, who had before addressed the Crown, though requested by the Board of Trade, that they would again interfere, that his Majesty would repeat his Orders to his Governors of Plantations for that Purpose, have never done it, that we can learn; and because now, through a Succession of two Governors, who have since received the Royal Approbation, upon their Appointment to the Government of this Province, no other or further Instructions have been given to either of them, but the Instruction of 1723, equally unlimited by Time, and equally binding on the Commander in Chief for the Time being, remains in its full Force, without any Act of Parliament, or any other Act of Government that we know of, either to abate its Operation, or to supply the End of it. Nevertheless, we are under a Necessity of informing the Governor, though with great Reluctance, that in the Year 1735, Governor *Gordon* passed an Act for vesting more effectually certain Lands in *George M'Call*, in direct Contradiction to that Instruction, without the least Mention of a suspending Clause.

As we have Reason to believe the Assembly was then acquainted with that Instruction, and as the Bill particularly related to our Honourable Proprietaries, our last Assembly, notwithstanding the indiscret Call upon them, contented themselves, from Motives of Prudence and Moderation, with barely pointing out this Transaction, in Hopes our honourable Proprietaries would see themselves at least equally concerned with the Representatives of the People both in Fact and Right, and thereby might be induced to join cordially with the People of this Province, in vindicating our Charter from the continual Infraction of such Instructions; which, if they must operate in the Manner the Governor is pleased to contend for, and our Proprietary Instructions must be binding upon us also, the Rights derived to us by the Royal Charter is a Name only, whilst the very Essence of it is effectually destroyed: Under the Sanction of which Charter, a sober industrious People, without any Charge to the Crown or the Proprietary, first settled this Wilderness, and by their Frugality, and the Equity of their Laws, laid the Foundation of a flourishing Colony, which already, within the ordinary Life of a Man, has made a considerable Addition to the Dominions of the Crown, by an Increase of dutiful and loyal Subjects, and bears no mean Rank in contributing to the Wealth and Trade of our Mother Country.

Whether the above Act for granting *Five Thousand Pounds* for the King's Use, or the Act for vesting Lands in *George M'Call*, were ever sent Home for the Royal Approbation, very little concerns us, as we presume the Transmitting our Acts is the immediate Duty of our Proprietaries, or their Lieutenants, in Pursuance of the Royal Charter, which we look upon as the anterior solemn Royal Instruction, for the Rule of their Conduct, as well as of our own.

Upon the Whole, from what we have said, we presume it evidently appears, that Proprietary Instructions and Restrictions upon their Governors, as they have occasionally been made a Part of the Public Records at different Times, have been judged and resolved by our Governor, Council, and the Representatives of the People, either

1. Inconsistent with the legal Prerogative of the Crown settled by Act of Parliament.
2. Or a positive Breach of the Charter of Privileges to the People.
3. Or absurd in their Conclusions, and therefore impracticable.
4. Or void in themselves.——Therefore,

Whenever the Governor shall be pleased to lay his Proprietary Instructions before us for our Examination, and if then they should appear to be of the same Kind as heretofore, his good Judgment should lead him to conclude, that such "Considerations in Life," as our Allegiance to the Crown, or the immediate Safety of the Colony, *&c.* are sufficient Inducements for him to disobey them, notwithstanding any Penal Bonds to the contrary, we shall chearfully continue to grant such further Sums of Money for the King's Use, as the Circumstances of the Country may bear, and in a Manner we judge least burthensome to the Inhabitants of this Province."

1755. *January* 3. And the foregoing Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Joſeph Stretch* and *James Pemberton* wait upon the Governor with the ſame, and acquaint him, that the Houſe having near gone through the Buſineſs before them, deſire to know when they may expect his Reſult upon the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel; and for preventing the Spreading of contagious Diſtempers within this Province.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he had referred the Bill relating to the Importation of *Germans*, &c. to a Committee of the Council, who now had it under their Conſideration; and that he ſhould acquaint the Houſe with his Reſult upon the ſaid Bill as ſoon as conveniently he could.

The Committee of Accounts reported, that they had examined the Accounts of the late Treaſurer, exhibited by the Executors, and find that there is a Balance of *Twenty-ſix Pounds Two Shillings* and *Nine-pence Three Farthings*, due from the Eſtate of the ſaid Treaſurer to the Province.

Reſolved, That the Sum of *Ten Pounds* be now allowed to *Anthony Benezet*, in Conſideration of the Care and Trouble he has had in providing for the *French* Deſerters, who have for ſome Time paſt arrived in this City.

Ordered, That the Executors of the late Treaſurer do pay the Balance due from his Eſtate into the Hands of *Anthony Benezet*; *Ten Pounds* whereof to be kept by the ſaid *Benezet* in Purſuance of the foregoing Reſolve, and the Remainder to lie in his Hands for the further Maintenance of ſuch Deſerters as are already in this City, or that may hereafter arrive.

The Letter from Sir *Thomas Robinſon* to the Governor, of the Twenty-ſixth of *October* laſt, being again read, it was obſerved by the Houſe, that the following Points were therein particularly recommended to the Governor's Care, *viz.*

That he ſhould carefully provide a ſufficient Quantity of freſh Victuals, at the Expence of this Government, to be ready for the Uſe of his Majeſty's Troops at their Arrival; that he ſhould likewiſe furniſh the Officers, who may have Occaſion to go from Place to Place, with all Neceſſaries for travelling by Land, in caſe there are no Means of going by Sea; and that he ſhould uſe his utmoſt Diligence and Authority, in procuring an exact Obſervance of ſuch Orders, as ſhall be iſſued, from Time to Time, by the Commander in Chief, for quartering the Troops, impreſſing Carriages, and providing all Neceſſaries for ſuch Forces as ſhall arrive, or be raiſed, within his Government.

That with regard to ſuch other Articles, which are of a more general Concern, it is the King's Pleaſure, that he will uſe his utmoſt Endeavours to induce the Aſſembly of this Province, to raiſe, forthwith, as large a Sum as can be afforded, as their Contribution to a common Fund, to be employed, proviſionally, for the general Service of *North-America*.

Whereupon it was conſidered, that this Houſe, in Obedience to the Royal Orders, ſignified by the Earl of *Holderneſſe's* Letter of the Twenty-eighth of *Auguſt*, 1753, and by Sir *Thomas Robinſon's* ſeveral Letters of the Fifth of *July*, and Twenty-ſixth of *October* laſt, had preſented to the Governor a Bill for granting *Twenty Thouſand Pounds* to the King's Uſe, to which he was pleaſed to refuſe his Aſſent; influenced thereto, as this Houſe unanimouſly preſume, principally, if not ſolely, by Inſtructions from the Proprietaries. And although the Houſe are thereby hindered from making Proviſion for all the Purpoſes of the ſaid Royal Orders, in the Manner they could deſire (the Treaſury being now quite exhauſted by *Indian* and other heavy Expences, and large Sums paid out of the Loan-Office for Orders actually and uſually drawn upon the Treaſury, inſomuch that there is ſcarcely a Balance of *Five Hundred Pounds* now remaining in the Truſtees Hands) yet, nevertheleſs, they are deſirous to comply with the Expectations of the Crown, as far as, their preſent Circumſtances conſidered, they are able. It is, therefore,

Reſolved, *N. C. D.* That *Iſaac Norris*, Eſq; Speaker, and *Evan Morgan*, *Joſeph Fox*, *James Pemberton*, *James Wright*, *Joſeph Armſtrong* and *John Smith*, Gentlemen, Members of this Houſe, be, and they are hereby nominated and impowered to take up and borrow, on the Credit of this Houſe, any Sum not exceeding *Five Thouſand Pounds*, lawful Money of this Province; to be by them laid out for purchaſing freſh Victuals, and ſuch other Neceſſaries as they, or a Majority of them, ſhall think expedient, for the Uſe of the King's Troops at their Arrival: For all which Money, borrowed as aforeſaid, they, the above-named Gentlemen, or any four of them, ſhall give a Certificate or Certificates, as the Caſe may require, under their Hands, to the Perſon or Perſons lending the ſame, certifying that ſuch Money was taken up and borrowed for the King's Uſe, in the Manner, and for the Purpoſes directed by this Reſolve. And this Houſe will repay,

or

or take effectual Care to ſecure the Re-payment of all and every Sum or Sums of Money, ſo as aforeſaid borrowed, with Intereſt, if neceſſary. 1755.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. *January* 3. Adjournment *January* 4.

An Account from *Thomas Jervis*, of the City of *Philadelphia*, for the Maintenance of *Scarroyady*, two other *Indians*, and their Interpreter, amounting to *Ten Pounds Two Shillings* and *Ten-pence*, was laid before the Houſe, read, and referred to the Committee of Accounts.

The Letter to the Secretary from *George Croghan*, containing an Account amounting to *Forty-two Pounds*, paid by him to *Thomas Kenton*, for ſundry Goods delivered to the *Shawaneſe*, as a Preſent from this Government, was read; and the ſaid *Kenton* attending, was called in, and having anſwered ſuch Queſtions as were put to him by the Houſe, and produced a Note of Hand from the ſaid *Croghan*, for the before-mentioned Sum, he was directed to withdraw.

Ordered, That an Order be forthwith drawn on the Treaſurer, and ſigned by the Speaker, for Payment of the ſame.——Which was accordingly done.

And an Order was likewiſe drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for the Payment of *William Anderſon's* Account.

Upon a Motion made,

Reſolved, That a moſt humble Addreſs be made to the King to teſtify the Affection and Loyalty of the People of this Province, and to repreſent the Difficulties we labour under by Reaſon of Proprietary Inſtructions, &c.

Ordered, That *Joſeph Fox*, *James Pemberton*, *William Callender*, *Joſeph Hamton*, *Jonathan Ingham*, *George Aſhbridge*, *Joſeph Gibbons*, *Arthur Patterſon*, *Calvin Cooper*, *David M'Connaughy*, *Joſeph Armſtrong*, *Moſes Starr* and *James Burnſide* be a Committee to prepare a Draught of an Addreſs, purſuant to the ſaid Reſolution, and report the ſame to the Houſe.

Ordered, That *Peter Worral* have Leave to be abſent the Remainder of this Sitting, on urgent Buſineſs.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

The Houſe met, and adjourned to Ten o'Clock To-morrow Morning. Adjournment *Jan.* 6. *P. M.*

The Committee appointed to prepare a Draught of an Addreſs to be preſented to the King, reported the ſame to the Houſe, and it was read, conſidered, and referred to farther Conſideration in the Afternoon. Adjournment *January* 7.

Ordered, That *William Callender* and *James Burnſide* wait upon the Governor, and acquaint him, that the Houſe having almoſt finiſhed the Buſineſs they propoſe to do at this Sitting, and being deſirous to have the Bill, now with the Governor, paſſed into a Law before they riſe, requeſt that he would as ſoon as poſſible let them know his Reſult thereupon.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe return, and report, that they had delivered he ſame according to Order; and that the Governor was pleaſed to ſay, he ſhould this Afternoon ſend a Meſſage to the Houſe concerning the Bill now before him.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Governor, by the Secretary, ſent down to the Houſe two Meſſages in Writing, which were read, and are as follow, *viz.*

GENTLEMEN,

'HAVING conſidered your very long Meſſage of the Third Inſtant, I think it ne- A Meſſage from the Governor to the Aſſembly.
'ceſſary to make ſome Obſervations upon it; and though the very great Obſcurity,
'unneceſſary Repetitions, and unmeaning Paragraphs, in that Performance, may con-
'fuſe and divert ſome People here from the true Points in Difference between us, yet
'I am under no Apprehenſion but his Majeſty and his Miniſters will ſee your Conduct
'and mine in a true Light.

'You certainly do not underſtand, or do miſrepreſent, my laſt Meſſage, or you could
'never accuſe me of making a Promiſe, that I would lay before you the Proprietary In-
'ſtructions, "ſo far as they regarded the Bill for granting *Twenty Thouſand Pounds* to
"the King's Uſe," when I never ſo much as told you, that I had any ſuch; or charge
'me with repreſenting your Application for thoſe Inſtructions, "as having a Tendency
"to alienate the Affections of the People from his Majeſty's Perſon and Government;"
'neither the one or the other having any Foundation, there being nothing in my Meſ-
'ſages that, by the moſt ſtrained Conſtruction, can ſupport what you have ſaid. I thought
'the Expreſſions you had taken the Liberty to uſe, with reſpect to the Royal Inſtruction
'relating to Paper Money, might have a Tendency to alienate the Affections of the People,
'though never ſo well diſpoſed; as I very well know how fond they are of that Currency,
'and how much averſe to any Reſtraints upon that Head. And had I not good Reaſon to
'think ſo, when that Inſtruction has been repreſented as deſtructive of the Liberties of
'the People, and in the Meſſage, now under my Conſideration, is called an Infraction
'of the Royal Charter? When his Majeſty, the Father and Protector of his People, is

repreſented

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'represented in this Light to the Inhabitants of a Province ſo remote from his Royal 'Perſon, muſt it not have a Tendency to leſſen their Affection? And is not that dan-'gerous at all Times, but more eſpecially ſo at this Juncture, when his Majeſty expects 'the Aſſiſtance of all his Subjects for their own Defence and Security? It is plain, from 'what you have ſaid relating to that Inſtruction, that you think yourſelves exempt from 'the Force of Royal Inſtructions, particularly thoſe relating to Paper Money: What 'can induce you to think, that the Words of the Royal Charter may be conſtrued in 'Favour of ſuch Exemption, I will not take upon me to ſay; but ſure I am, that the 'Crown of *England* can by no Means diveſt itſelf of a Juriſdiction over its Subjects, 'eſpecially in Matters relating to the Standard and Currency of Money, concerning 'which it has very large and peculiar Prerogatives, no Part of which are granted by the 'Royal Charter. You will therefore conſider how juſt your Claims of Independency 'upon this Head are, and how prudent it will be in you to inſiſt upon them.

'You are pleaſed to be very angry with your Proprietaries, for no other Reaſon, that 'I can find, but their having given me Inſtructions; and without knowing what thoſe 'Inſtructions are, you repreſent them as deſtructive of the Liberties and Privileges 'granted by Charter to the People of this Province. Such a Treatment of that Ho-'nourable Family, from whom the Inhabitants of this Province have derived ſo many 'Advantages, and who are promoting its Intereſt upon every Occaſion, is not only un-'grateful but unjuſt.

'The Proprietaries are too nearly intereſted in the Proſperity of this Country to do 'any Thing to its Prejudice; and I ſhould have imagined, that the People could not 'now ſtand in Need of any Proofs of the Proprietary Affection, or ſuſpect them of having 'any Deſigns to invade their juſt Rights or Privileges, which I am confident, to uſe 'your own Words, "they deteſt and abhor."

'Your Reſolves relating to the Proprietary Inſtructions, which you ſtill ſay are the prin-'cipal, if not the ſole, Obſtructions to the Paſſing the Bill you ſent me, are, in my Opi-'nion, very extraordinary, as I had told you, that I could not paſs that Bill, becauſe it 'was contrary to the King's Inſtruction; this Treatment from one Branch of a Legiſla-'ture to another, may be quite conſiſtent with the Privileges you claim, for any Thing 'I know, but I muſt take the Liberty to ſay, they are not conſiſtent with Decency, 'Prudence nor the public Good; and however you may diſbelieve me in other Things, 'I beg you will think me ſincere when I tell you, that I am determined not to lay the 'Proprietary Inſtructions before you at this Time farther than I have already done, not-'withſtanding any Thing you have ſaid to induce me to it; being ſenſible, that they 'are no way neceſſary, and that you are in a very improper Temper for the Conſideration 'of them, as you have, without knowing what they are, declared them deſtructive of 'your Liberties.

'The Proprietary Inſtructions, as I told you before, are calculated to promote the 'Happineſs and Proſperity of this Province, and have nothing in them inconſiſtent either 'with the Prerogatives of the Crown, or the Liberty of the People; and if thoſe In-'ſtructions had not been given me, I ſhould, nevertheleſs, have thought it my Duty to 'have refuſed my Aſſent to the Bill you ſent me for emitting Paper Money.

'There are Parts of that Bill that I had very material Objections to, but I waved 'them, on Account of the preſſing Neceſſity of the Times, not doubting but you would 'have offered ſuch an One as I could have paſſed, conſiſtent with the King's Inſtructions, 'as I then imagined you really intended to grant Supplies for the Safety and Defence of 'the Province, and thought we ſhould agree upon the Terms of raiſing Money for that 'Purpoſe; but your Behaviour ſince that Time has convinced me, and I am perſuaded will 'convince my Superiors, that you never had any Intentions of putting this Province into 'a Poſture of Defence, or of acting vigorouſly againſt the *French* upon your Borders.

'As you take upon you to inſinuate, that I am reſtrained, by Proprietary Inſtructions, 'from paſſing Bills for the Defence of the Country, I think it neceſſary expreſsly to deny 'that I am ſo reſtrained, and to tell you, that I am ready to paſs a Law for putting this 'Province into a Poſture of Defence, by eſtabliſhing a Militia, and making the neceſ-'ſary Proviſions: and that I will conſent to a Law for emitting any Sum in Paper Mo-'ney that the preſent Emergency may require; provided Funds are eſtabliſhed for ſink-'ing the ſame in Five Years.

'I ſaid, "the Act of the Sixth of Queen ANNE, for aſcertaining the Rates of fo-', reign Coins in *America*, was ſhamefully ſlighted and diſregarded in this Province," and 'I ſay ſo ſtill, notwithſtanding any Thing you have urged in your Meſſage to the con-'trary. It is known to you, and every One, that *Spaniſh* Pieces of Eight do now, and 'for a Number of Years have paſſed, and been current at *Seven Shillings* and *Six-pence*, 'when that Act requires, that they ſhould paſs for *Six Shillings* only, and that other 'Coins are current nearly in the ſame Proportion; from whence it appears, that though 'you call your Paper Bills Money according to Queen ANNE's Proclamation, it is really 'not ſo, but Twenty-five *per Cent* worſe; and as this is directly contrary to the expreſs

'Words,

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'Words, and true Intent and Meaning of that Act, I was right in saying, "that the "Act itself, and the Royal Instruction to enforce it, had been shamefully slighted and "disregarded," as neither the one or the other have had the proper Obedience paid to 'them within this Province.

'I took my Calculation of the Revenue, and of the Money you have in Hand, from 'your own printed Minutes; and I have now re-examined the Accounts, and find, that 'you have a Revenue of *Seven Thousand Three Hundred* and *Eighty-one Pounds*, arising 'from the Interest of the Paper Money and the Excise, clear of the *Five Hundred Pounds* 'a Year, towards sinking *Five Thousand Pounds*, formerly given to the King's Use.— 'And that the Sums due, and which, by the Laws in being, should have been in Hand 'on the Fifteenth of *September* last, amount to at least *Fourteen Thousand Pounds*. I have 'ordered the Calculations, from which I have taken those Sums, to be laid before you, 'that, if I am wrong, you may point out wherein I am so. I did not mean to upbraid 'you on account of the Sum of *Three Hundred* and *Forty-three Pounds Ten Shillings*, due 'from the City of *Philadelphia*, the Interest whereof, was it to be paid, would only 'amount to *Seventeen Pounds Three Shillings* and *Six-pence*, which I find to be the only 'Sum lent out that does not bear an Interest, and is in itself so trifling, that I am sur-'prized to find it mentioned in such a Manner.

'Upon the whole, Gentlemen, I shall have no Reason to fear the Censure of his Ma-'jesty, or a *British* Parliament, or be ashamed of the Part I have acted, when the Pro-'ceedings of this Session come under their Consideration; since by them it will appear, 'that I have from Time to Time represented to you the Danger to which this Country 'stands exposed, the Progress the *French* have made, the Increase of their Numbers, 'and every Thing else that might induce you to act with Vigour; that I have laid his 'Majesty's Commands before you, and repeatedly called upon you to grant the Supplies 'expected from us by the Crown, and to put the Province into a Posture of Defence, 'and to avoid every Thing that might admit of Dispute.

'And from your several Messages it will fully appear, that instead of doing what the 'Safety of your Country, and his Majesty's Service required, you have industriously en-'gaged in a Contest about the Force of a Royal Instruction relating to Paper Money; 'have entered into unseasonable Resolutions with regard to Proprietary Instructions, with-'out knowing what they are; and because I do not communicate to you what you have 'no Right to demand, you are pleased to make that an Excuse for not putting this Pro-'vince into a Posture of Defence, and chuse to leave this rich and plentiful Country, 'situated in the Center of his Majesty's Dominions, naked and open to the Attacks of 'the *French*, without a Militia, or any one Thing necessary for its Security. It will 'also appear, that at this critical Juncture, when it is the Duty of every Man to exert 'himself to the utmost of his Abilities, you proposed only *Twenty Thousand Pounds* this 'Currency, which is not *Two-pence* in the Pound, upon the just and real Value of 'Estates in this Province; and this you call a generous Sum, though you must be sen-'sible, it is very insufficient to answer the present Exigency; and even this you refuse 'to give upon any Terms, but such as are directly contrary to a Royal Instruction, which 'you know is binding upon me, though there are many other Ways of raising Money, 'not liable to that Objection, and though I offered to consent to a Law for emitting 'any Sum in Paper Money, the present Emergency might require, provided Funds were 'established for sinking the same in Five Years.

'You will give me Leave to observe, that one Act of Duty and Loyalty to the Crown 'is worth a Thousand Expressions of that Sort, where a proper Behaviour is wanting; 'and you will therefore consider how far your Words and Actions agree, and in what 'Light your Conduct will appear to his Majesty, and his Ministers, who will enquire 'what you have done upon the present important Occasion, not what you have said.

January 7, 1755. *ROBERT HUNTER MORRIS.*"

The CALCULATION *referred to in the foregoing Message.*

Collected from the First of June, 1752. *to* 1753, *by the following Collectors of Excise,* viz.

BY *Joseph Redman*, in Philadelphia County, —	£	2000	12	8	
Sundry Retailers, at *Three Pounds per Annum*,		203	5	0	
A Moiety of Fines, —— ——		20	15	0	
	£	2224	12	8	
Deduct *Five per Cent*, for receiving, — —		111	4	7½	
				£	2113 8 0½
By *John Woolston*, in *Bucks* County, — —	£	283	5	0	
Sundry Retailers, — — —		9	0	0	
	£	292	5	0	
Deduct *Ten per Cent*, for receiving, — —		29	4	6	
				£	263 0 6
Carried over				£	2376 8 6½

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		Brought over	£	2376 8 6½
By *Jeremiah Starr*, in *Cheſter* County, —	£ 427 16 0			
Sundry Retailers, — — — —	7 10 0			
	£ 435 6 0			
Deduct *Ten per Cent*, — —	43 10 7			
		£	391 15 5	
By *Arthur Patterſon*, in *Lancaſter* County, —	£ 223 5 1			
Deduct *Ten per Cent*, — — —	22 6 7			
		£	200 18 6	
By *David M'Connaughy*, in *York* County, —	£ 60 18 4			
Deduct *Ten per Cent*, — —	6 1 10			
		£	54 16 6	
By *James Lindſay*, in *Cumberland* County, —	£ 55 0 4			
Deduct *Ten per Cent*, — — — —	5 10 0			
		£	49 10 4	
By *John Hughes*, in *Berks*, — —	£ 404 1 2			
Moiety of Fines, — — —	5 0 0			
	£ 409 1 2			
Deduct *Ten per Cent*, — — —	40 18 1			
		£	368 3 1	
By *Daniel Cray*, in *Northampton*, — — —	£ 86 7 0			
Deduct *Ten per Cent*, — — —	8 12 8½			
		£	77 14 3½	
Amount of the Exciſe from *June* 1, 1752, to *June* 1, 1753, —		£	3,519 6 8	
Income of the Loan-Office, collected from laſt Year's Account, *viz.*				
Principal Sums or Quotas, not become due, —	£ 49,582 13 4			
Quotas outſtanding, and now due, —	19,552 9 2			
One Hundred and Two Mortgages, taken on the ſeventh Re-emiſſion of the ſecond 80,000 £ Act, —	6,601 10 0			
Forty-one Mortgages, taken on the 8th Re-emiſſion of ſaid Act, — — —	3,038 0 0			
Outſtanding Intereſt on all the Mortgages, for which broken Intereſt is paid, — —	8,460 12 3			
	£ 87,235 4 9			
Intereſt on £ 87,235 4 9, at 5 *per Cent*, — —		£	4,361 15 2	
		£	7,881 1 10	
Deduct what is to be ſunk yearly out of the 5,000 £ granted for the King's Uſe, — — —			500 0 0	
The net Produce of the Exciſe, and Intereſt Money, *per Annum*,		£	7,381 1 10	

N. B. The Exciſe is calculated for the Year 1753, none but one of the Collectors having ſettled for 1754, and therefore the Amount of that Year could not be eſtimated.

An Account of public Money that ſhould have been in Hand the 15th of *September* laſt, by the Laws now in being, *viz.*

Outſtanding Intereſt on all the Mortgages, — —	£	8,460 12 3
Caſh in the Hands of the Truſtees, — —		1,255 3 5
Caſh in the Hands of the Treaſurer, — — —		462 10 10
If the Mortgage Deeds were carefully examined, there would be, without all Doubt 6,000 £ due for broken Intereſt upon all the Outſtandings; however, to be rather under than over, they are put down at		4,000 0 0
	£	14,178 6 6

A Meſſage from the Governor to the Aſſembly.

GENTLEMEN,

'YOUR Bill for preventing the Importation of *German* or other Paſſengers, *&c.* I 'referred to the Conſideration of ſuch of the Members of the Council as were 'Members of the Corporation, who have made ſundry Obſervations upon it which they 'have reported to me; and as the Bill is intended to preſerve the Health of this City 'and Province, I ſhall give it all the Attention in my Power, and make ſuch Altera-'tions in it as may beſt anſwer the End propoſed, without laying too great Reſtraints 'upon Trade.

'It would have been very agreeable to me to have gone through 'it,

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'it, and send it you down now; but I find myself too much engaged, by Correspon-
'dences on his Majesty's Service, to finish it at present, and must therefore detain it, till
'I can give it the Attention a Bill of such Importance requires.

January 7, 1755. *ROBERT HUNTER MORRIS.*"

The Draught of an Address to the King being again read, and considered, was, with some few Amendments, unanimously agreed to, and two ingrossed Copies ordered to be made thereof.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's two Messages of Yesterday, were again read, and considered; and, after some Time spent therein, *January* 8.

Ordered, That *James Pemberton*, *William Callender*, *Mahlon Kirkbride*, *Joseph Gibbons*, *Calvin Cooper*, *David M'Connaughy*, *Joseph Armstrong* and *James Burnside* be a Committee to prepare Draughts of Answers to the same, and report them to the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Draught of an Answer to one of the Governor's last Messages was brought in by the Committee appointed to prepare the same, and read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor. *Post Meridiem*

And the said Message being accordingly transcribed, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

A Message from the Assembly to the Governor.

AS we consider our Bill for preventing the Importation of *German* or other Passengers, &c. to be of the utmost Importance to the Health and Lives of the Inhabitants of this Province, in order to clear ourselves from the Mischiefs which may ensue from the Postponing that Bill, we again earnestly solicit the Governor for his Assent to it at this Time.

The Bill itself was calculated to lay Restraints upon the Trade carried on by the Importers of such Passengers, *&c.* and we have, in all our Considerations upon it, endeavoured to make it answer those Purposes, without interfering with the other Branches of our Commerce, not subject to the same fatal Consequences; and if the Governor shall think fit to amend the Bill to answer these Ends, it will receive all the Dispatch in our Power, and a chearful Concurrence on our Part."

The foregoing Message being signed by the Speaker, by Order of the House,

Ordered, That *Thomas Cummings* and *Nathaniel Pennock* wait upon the Governor, and deliver the same.

Two engrossed Copies of the Address to the King being prepared, according to Order, were read, and signed by the Speaker, by Order of the House.

Ordered, That the Committee of Correspondence do transmit the same, by different Conveyances, to our Agents in *Great-Britain*, and direct them to take the proper Measures to have the said Address presented to the King as soon as conveniently may be.

The Gentlemen appointed to wait upon the Governor, with the Message of the House, return and report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would return an Answer to the House as soon as possible.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Message from the Governor, by the Secretary: *January* 9.

SIR,

" The Governor informs the House, that some of the Chiefs of the *Six Nations* are " now in Town, on Proprietary Business; and, as they are Persons of Weight and In- " fluence, he thinks it may be of public Service for the Government to take Notice of " them at this critical Juncture; and therefore recommends this Matter to the Con- " sideration of the House."

A Draught of an Answer to the Governor's last Message relating to Proprietary Instructions, *&c.* was brought in by the Committee appointed to prepare the same, and read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Upon a Motion made, *Post Meridiem*

Resolved, That the Sum of *One Hundred* and *Fifty Pounds Sterling* be now remitted to our Agents in *Great-Britain*, to lie in their Hands for the Service of the Province, and to be accounted for by them hereafter.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Resolved, That this House, as they see no Prospect of their being at present of any further Service to the Province, will this Day adjourn to the Twelfth Day of the Fifth Month, called *May*, next. *January* 10.

The Answer to the Governor's Message of the Seventh Instant, relating to Proprietary Instructions, *&c.* being transcribed, was again read, and is as follows, *viz.*

May

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January 9. Assembly's Answer to the Governor's Message of the 7th Instant.

May it please the GOVERNOR,

THE long Absence from our Homes, the great Expence we must necessarily sit at, and the Uneasiness it gives us to be obliged to differ in Sentiments so widely from our Governor, without the least Prospect of Redress here, together with his present Indisposition to treat us with that Decency, we presume, on Reflection, he will acknowledge to be due to the Representatives of the People, will sufficiently excuse us from entering minutely into the Consideration of his last Message; especially as we hope we may safely leave it for the present, and as we have humbly addressed our gracious Sovereign on the Differences now unhappily subsisting between us.

The Governor has expressed his Satisfaction in leaving it to that Issue, and as we have no Doubt of the Justice of our Cause, we must, and do very chearfully, submit to it also; and by this Means, the Parts of his last Message, which immediately concern us at present, are reduced to a narrow Compass.

The Governor is pleased to say, he very well knows how fond the People are of a Paper Currency, and how much averse they are to any Restraints on that Head; but from whence this Knowledge should arise, is hard for us to conjecture. We certainly know the People have not petitioned our House, nor have we offered the Governor any Bill for that Purpose during his Administration, except the Bill for granting Money for the King's Use, and that only, as the best Method we could devise to make that Grant effectual; and we have Reason to believe, on turning to the Minutes of our late Assemblies, that when they did offer such Bills to our former Governor, they not only restrained themselves within a very moderate Sum, arising from minute Calculations of their Trade, but took great Care to preserve it from sinking in its Value, by issuing it on sufficient Securities, and such as had been usual, and, by long Experience, found effectually to answer that End; notwithstanding, the Governor has been pleased to repeat it, "that this Province has shamefully slighted and disregarded the Act of the Sixth of "Queen ANNE." That Act was considered when Colonel *Thomas* passed our present Paper Money Act, in 1739, and it was undoubtedly known to the Board of Trade when they recommended it to the Crown as a reasonable Act, upon which it obtained the Royal Sanction on the 12th of *May*, 1740. And under these Authorities it is declared, that "those Bills of Credit are lawful Money of *America*, according to an Act of Par-"liament made in the Sixth Year of the late Queen ANNE, for ascertaining the Rates "of Foreign Coins in the Plantations of *America*; and shall be the current Bills of this "Province, for the Payment and Discharge of all Manner of Debts, *&c.* as if the same "were tendered and paid at the Rates ascertained in the said Act of Parliament, and "should be so received by all Persons whatsoever." And as neither our Silver, or Exchange, make at this Time any Alteration in those Bills, except to their Advantage, being both rather lower than at the Passing and Confirmation of that Act, we account ourselves perfectly safe in saying, that we know not what the Governor can mean, by imputing to this Province a shameful Slight and Disregard of the Act of the Sixth of Queen ANNE; and we hope, on Reflection, he will allow it more reasonable for us to depend upon the Royal Decision in our Favour, than blindly to submit ourselves to the Computations of the Governor, in Opposition to it.

We are likewise under a Necessity of differing from him, in the State of the Public Money he has been pleased to send down with his last Message. As we apprehend the Governor himself must be pretty much a Stranger to our Accounts, we take the Liberty to assure him, that whoever made those Computations, has done them without Skill, or a sufficient Knowledge of our Laws; and that we find the Estimates we have already made, are right and just, and, as far as regards the annual Income, agreeable with the Proprietaries Answer to the Address of the Assembly in 1751. And as, by the Laws in being, we had not the Power over more than about *Seven Thousand Pounds* at the last Settlement, even that Sum is now greatly reduced, by the very heavy Charges of Government, borne and discharged by us since that Time.

The Governor is pleased to say, "You proposed only *Twenty Thousand Pounds*, this "Currency, which is not *Two-pence* in the *Pound*, upon the just and real Value of "Estates in this Province; and this you call a generous Sum, though you must be sen-"sible it must be very insufficient to answer the present Exigency." What the Governor may think sufficient, is as much a Mystery to us, as he may apprehend his Proprietary Instructions are; but, we presume, it may be sufficient for all the Purposes in Sir *Thomas Robinson's* last Letter, and as much or more than, we think, can be reasonably expected from us. How the Governor became so suddenly acquainted with the real Value of our Estates, is not easy to conceive; but we know from long Experience, haveing many of us received our Birth in this Province, that the Inhabitants are not generally wealthy or rich, though we believe them to be, in the Main, frugal and industrious, yet it is evident that their Lands are greatly encumbered with their Debts to the Public. From these Considerations, we are obliged to think the Governor's Estimation of our Wealth is undoubtedly too high, unless be includes the Value of the Proprietary Lands;

for,

for, by the Report of a Committee of Aſſembly in *Auguſt*, 1752, it appears, that the Taxables of this Province did not exceed Twenty-two Thouſand; and the Grant we have offered of *Twenty Thouſand Pounds*, from the beſt Calculations we can make, doth at leaſt amount to five times the Sum that hath ever been raiſed by a *Two-penny* Tax through this Province. As we think the Governor cannot be a competent Judge of the real Value of our Eſtates in this little Time of his Adminiſtration, and as we have now ſubmitted our Cauſe to higher Determination, we conceive ourſelves leſs concerned in his Computations of our Eſtates, whatever they may be. 1755. *January* 9.

The Governor is pleaſed to inform us, "that the Proprietaries are too nearly in-"tereſted in the Proſperity of this Country, to do any Thing to its Prejudice, and he ſhould "have imagined that the People could not now ſtand in Need of any Proofs of the Pro-"prietary Affection, or ſuſpect them of having any Deſigns to invade their juſt Rights "and Privileges, which, he is confident, they deteſt and abhor." We cannot ſuppoſe the Governor would mean they deteſt and abhor our juſt Rights and Privileges, and yet we are convinced the Clauſe in their Commiſſion to him, their Lieutenant, whereby they impower him to act as fully and amply, to all Intents, Conſtructions and Purpoſes, as they themſelves might or could do, were they perſonally preſent, "*You* (our Go-"vernor) *following and obſerving ſuch Orders, Inſtructions and Directions, as you now have,* "*or hereafter, from Time to Time, ſhall receive from us, or our Heirs,*" is not only re-pugnant to our juſt Rights and Privileges, but impracticable, againſt common Senſe, againſt Law, and void in itſelf; and yet if the Governor ſhould think his Hands are ſo tied up by theſe Inſtructions, that he is not at Liberty to act for the Public Good, we muſt conclude they are of dangerous Conſequence at all Times, and particularly in this Time of imminent Danger, not only to ourſelves, but to the *Britiſh* Intereſt in *North-America.*"

And the Meſſage being ſigned by the Speaker, by Order of the Houſe;

Ordered, That *Joſeph Trotter* and *William Smith* wait upon the Governor with the ſame; and acquaint him, that as the Houſe ſee no Proſpect of their being further ſer-viceable to the Province at this Time, they incline to adjourn to the Twelfth Day of the *Fifth Month*, called *May*, next, if he hath no Objection thereto.

The Houſe taking into Conſideration the verbal Meſſage of the Governor, relating to the *Indians* now in this City;

Reſolved, That, as this Province has of late expended very conſiderable Sums of Mo-ney, in making Preſents to the *Indians* in our Alliance, Part whereof thoſe *Indians*, now in this City, received at the late Treaty held at *Albany*; and as the ſaid *Indians* are now come down on Proprietary Buſineſs only, this Houſe do not think it neceſſary or rea-ſonable that a Provincial Preſent ſhould be made them at this Time.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would read the ſaid Meſſage, and if he found it re-quired an Anſwer, would ſend one to the Houſe immediately.

The Houſe taking into Conſideration the Motion of *Joſeph Trotter*, one of the Mem-bers of this Houſe, that another Perſon might be appointed Truſtee of the *Province Iſland* in his Stead;

Reſolved, That the Thanks of this Houſe be given, by the Speaker, to *Joſeph Trotter*, for his faithful and diligent Diſcharge of the aforeſaid Truſt —— Which was done ac-cordingly.

Reſolved, That *Joſeph Stretch* and *Charles Jones* be appointed, and they are hereby ap-pointed Truſtees of the *Province Iſland*, in the Room of *Joſeph Trotter*, who has now reſigned, and of *Edward Warner*, lately deceaſed.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

'I AM very much ſurpriſed at your Propoſal to adjourn till *May*, as you have made no 'Proviſion for the Defence of the Province, or granted the Supplies expected by the 'Crown, and recommended by the Secretary of State's Letters: I muſt therefore object 'to the propoſed Adjournment, while Things remain in this Situation, and hope you 'will, in Conſideration of the Danger to which your Country ſtands expoſed, conti-'nue ſitting till you have granted the Supplies to the Crown, and effectually provided 'for the Defence of the People you repreſent; but if you are determined to riſe at this 'Time without doing any Thing, remember it is your own Act, and all the fatal Con-'ſequences that may attend your leaving the Province in this defenceleſs State, muſt lie 'at your Doors.

January 10, 1755. *ROBERT HUNTER MORRIS.*"

A Meſſage from the Go-vernor to the Aſſembly.

And the Houſe taking the foregoing Meſſage into Conſideration;

Reſolved, *N.C.D.* That the Governor has been reſpectfully and repeatedly ſolicited

1755. *January* 9. by this Houſe, to paſs a Bill preſented to him, for granting *Twenty Thouſand Pounds* for the King's Uſe, which, in our Opinion, would have anſwered the Expectations of the Crown from this Province, as ſignified by the Secretary of State's Letters, had the Governor been pleaſed to have given it his Aſſent; therefore whatever ill Conſequences enſue, from Supplies not having been granted at this critical Juncture, muſt lie at his Door.

A Meſſage from the Governor, by the Secretary:

S I R,

" I have the Governor's Orders to demand a Copy of the Minutes of this Sitting of " the Houſe, to be delivered him as ſoon as poſſible."

Ordered, That the Minutes of this and the laſt Sitting of Aſſembly be printed, with all convenient Speed; and that a Copy thereof be delivered to the Governor when finiſhed.

Reſolved, That this Houſe will adhere to their propoſed Time of Adjournment.

Then the Houſe accordingly adjourned to the Twelfth Day of the *Fifth Month*, called *May*, next.

Adjournment

March 17. *Poſt Meridiem* THE Repreſentatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe met accordingly.

Benjamin Franklin, returned a Repreſentative for the City of *Philadelphia*, appearing in the Houſe, took and ſubſcribed the Qualification by Law appointed to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

Ordered, That *Joſeph Stretch* and *James Pemberton* wait upon the Governor, and acquaint him, that the Houſe are met in Purſuance of his Writs, and ready to receive any Thing he may have to lay before them; and deſire he would be pleaſed to furniſh them with a Copy of the Writs by which they were ſummoned.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 18. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe this Morning, with a Copy of the Writs by which the Houſe were ſummoned.

Sundry Letters from *Richard Patridge*, Eſq; one of the Agents of this Province, were laid before the Houſe by the Committee of Correſpondence, and read, and ordered to lie on the Table for the Peruſal of the Members.

The Governor, by the Secretary, ſent down to the Houſe a Copy of one of the Writs by which the Houſe were ſummoned, alſo a Meſſage in Writing, together with a Letter from General *Braddock*, referred to therein, which were ſeverally read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

' I HAVE the Pleaſure to acquaint you, that Major General *Braddock*, who is ap-
' pointed by his Majeſty to command the Forces employed in *North-America*, is ar-
' rived in *Virginia*; and as the Seaſon for Action is approaching, I thought it neceſſary
' to ſummon you together, that any Thing the General had to propoſe, might be con-
' ſidered without Delay; and that the Men, Proviſions and Money, expected by his
' Majeſty from this Province, towards carrying into Execution the Meaſures concerted
' for the general Service of *America*, might be provided in Time.

' Sir *John St. Clair*, Quarter-maſter General of his Majeſty's Forces in *America*, has
' repreſented to me the Neceſſity of having Roads opened from the inhabited Parts of
' this Province Weſtward towards the *Ohio*, not only for the March of Troops, but to
' facilitate the Supply of Proviſions to ſuch Forces as may be employed on the Frontiers
' of this or the neighbouring Governments.—I have therefore iſſued a Commiſſion to a
' Number of Men acquainted with that Country, to reconnoitre and examine the ſame,
' and to mark out where ſuch Roads may moſt conveniently be made, and to make Re-
' port to me of their Proceedings, with an Eſtimate of the Expences that will attend
' the Opening and Clearing them; and I recommend it to you to make a ſuitable Pro-
' viſion for this neceſſary Service.

' It is ſaid, the large Supply of Proviſions that the *French* have received from theſe
' Colonies, has enabled them to ſupport the Forces employed in building Forts in his
' Majeſty's Territories, and will enable them, for ſome Time at leaſt, to maintain the
' Troops they have drawn together to defend them.—And though this Province has been
' hitherto very little concerned in that Supply, yet as it is neceſſary to prevent it for the
' future, I have iſſued Orders to the Officers of the Cuſtoms for that Purpoſe, and make
' no Doubt you will join with me in a Law effectually to hinder ſuch an unnatural
' Trade.

' The Eaſtern Governments, ever active in the Defence of their Country, and in main-

' taining

1755. *March* 18.

'taining his Majesty's just Rights and Dominions in *America*, are exerting themselves 'at this Juncture, and are very desirous that this Province should join in the Operations 'intended to frustrate the Schemes of the *French*, and to secure these Colonies against 'their future Encroachments; I therefore hope you will enable me to take such Part in 'the Measures proposed, as becomes the Honour and Interest of a Province circum-'stanced as we are.

'General *Braddock*, by his Letter of the Twenty-eighth of last Month, which will 'be laid before you, desires me to establish a Post between *Philadelphia* and *Winchester*, 'for the forwarding his Dispatches; this he thinks may be of great Importance, during 'the Operations of the Campaign, and you will be pleased to impower me to comply 'with his Request.

'His Majesty having, by one of his principal Secretaries of State, recommended it to 'the several Provinces, to establish a common Fund for the Benefit of all the Colonies 'collectively, General *Braddock* now desires, that the Quotas of the several Provinces, 'towards that common Fund, may be lodged in the Hands of a Treasurer, who may 'have Orders to answer his Demands; as this is intended to expedite Business, and the 'General is perfectly disinterested, and declares himself willing to give an Account of 'his Disbursements, I hope you will put it in my Power to return a satisfactory Answer 'to his Letter in that Particular.

'I heartily recommend to you Vigour, Unanimity and Dispatch in the Matters you 'will have under your Consideration, that the happy Opportunity the Colonies now 'have, by Means of his Majesty's paternal Care, and generous Assistance, of securing 'themselves for ever against the Attempts of the *French*, may not be lost.

March 18, 1755. *ROBERT HUNTER MORRIS.*"

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Governor, by the Secretary, sent down to the House, the two following Mes-sages in Writing, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I OBSERVED by the printed Minutes of your Proceedings, that you have inserted 'at large Sir *Thomas Robinson's* Letters to me of *July* the Fifth and *October* the Twenty-'sixth last, without my Knowledge or Consent.

'The King's Commands signified by a Secretary of State may be very proper for the 'Consideration of the different Parts of the Legislature, but are not always to be com-'municated to the Public; I think it therefore necessary, Gentlemen, to caution you 'against the like Practice for the future, and expect that no Letters or Papers commu-'nicated by me shall be printed without my previous Approbation; and as it may be of 'dangerous Consequence to publish those Letters, I desire a Stop may be put to the 'Publication of that Part of your Minutes which contains them.

'I have Letters, and other Papers, that relate to his Majesty's Service, which I would 'willingly communicate to you, but I do not think it safe to do it, till I have proper 'Assurance from you, that the Contents of them shall remain secret.

March 18, 1755. *ROBERT HUNTER MORRIS.*"

GENTLEMEN,

A Message from the Governor to the Assembly.

'ON the Tenth of *January* last I demanded, by the Secretary, a Copy of the Mi-'nutes of your Proceedings, which you promised to send me, but not receiving 'them, I did, on the Twenty-ninth of the same Month, by Letter to the Speaker, again 'demand them, and have frequently, by the Secretary, reiterated my Request, but 'could not obtain a Sight of them till the Twelfth Instant, above two Months after 'your Rising, and then only a Part of them were sent me in Print, and I have not yet 'seen the Whole of them.

'The Keeping your Proceedings thus a Secret from me, I take to be a very uncon-'stitutional and extraordinary Measure, liable to a Construction that I do not chuse at 'present to put upon it; but only to acquaint you, that I expect you will order your 'Clerk to attend me every Night with the Minutes of the Day, that I may know what 'is done and doing in your House, and be able in Time to lay the same before his Ma-'jesty and his Ministers, who expect to be regularly informed of the Measures taking by 'the Legislatures of the Colonies.

March 18, 1755. *ROBERT HUNTER MORRIS.*"

And the two last Messages being read, and considered;

Ordered, That *Joseph Fox*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Thomas Cummings*, *Calvin Cooper*, *John Smith*, *Moses Starr* and *James Burnside* be a Committee to prepare a Draught of an Answer to the said Messages, agreeable to the Sentiments of the House thereupon, and report the same to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *March* 19.

The Committee appointed to prepare a Draught of an Answer to the Governor's two last

1755. *March* 19. laſt Meſſages, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

And the ſaid Meſſage being accordingly tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

Aſſembly's Anſwer to the Governor's two laſt Meſſages.

WE have conſidered the two laſt Meſſages ſent down by the Governor to the Houſe, and beg Leave to ſay, that we are humbly of Opinion, Letters from the Secretary of State, laid before the Houſe by the Governor, and containing the Commands of the Crown, ought generally to be inſerted in the Minutes of Aſſembly; as ſuch Letters are the Foundation of the Proceedings of the Houſe, and may be neceſſary for their Juſtification.

Sir *Thomas Robinſon's* Letters of *July* 5, and *October* 26, were ſent down to the Houſe without the leaſt Caution to keep the Contents a Secret. The latter, which is the moſt material, is a circular Letter, one to the ſame Effect being ſent by the ſame Conveyance to all the Provinces and Colonies in *North-America*, and, as we are informed, the Subſtance of it has been already printed in the Speeches of ſeveral Governors to their Aſſemblies. The Deſign therein mentioned, of ſending two Regiments to *America*, and raiſing two more in the Colonies, to join them in repelling the *French* Invaſions, was no Secret, being avowed in the *Engliſh* Prints, particularly in the *London Gazette*, publiſhed by Authority. And our Governor himſelf made very full and particular Abſtracts of thoſe Letters in his Meſſages to the Houſe, which were printed in the *Gazettes* here, during our laſt Seſſion, long before the Houſe adjourned, and no Objection was made to ſuch Publication at that Time that we have heard of. We are therefore ſurpriſed, that the Governor ſhould now take Exceptions at the Inſertion of thoſe Letters in our Minutes: And as he has not been pleaſed to point out a ſingle Inconvenience or dangerous Conſequence that may attend it, the Houſe is not inclined to expunge them.

We know not what Aſſurances of Secrecy the Governor expects from us, or what would be ſatisfactory; and therefore can only ſay, that whenever it ſhall appear to the Houſe to be neceſſary for the King's Service, or the Public Good, to keep ſecret any Matters laid before them by the Governor, we doubt not but that proper Meaſures will be taken for that Purpoſe.

When the Governor was pleaſed, "on the Tenth of *January*," to demand a Copy of the Minutes of that Sitting, the Houſe ordered them to be printed with all convenient Speed, and that a Copy ſhould be delivered to the Governor when finiſhed. They were accordingly put to the Preſs, as ſoon as they could well be tranſcribed and reviſed by the Committee for that Purpoſe appointed; and it ſeems the Governor has had a Copy of the greateſt Part of them, even before they were finiſhed. Ever ſince the Votes were firſt printed in this Province, now upwards of Thirty Years, it has been the conſtant Practice to appoint a Committee to reviſe the Minutes, which has been done after the Riſing of the Houſe; and before they were ſent to the Preſs. And till this was done, Copies were never delivered out, unleſs of particular Votes, on ſpecial Occaſions. The principal Matters they contain are generally to be found in the Governor's Speeches or Meſſages, and the Anſwers of the Houſe; and theſe, with ſuch Votes as are material, are for the moſt Part immediately printed in the News-Papers, and thereby made more public than otherwiſe they would ever be. The reſt is chiefly Matter of mere Form, Abſtracts of Petitions, and Things of ſmall Import, which very few, even of the People of this Province, think worth peruſing or enquiring after, much leſs are they worthy the Attention of " his Majeſty or his Miniſters." Therefore, and as it would be inconvenient to the Houſe to make up and perfect their Minutes daily, ſo as to ſend a Copy of them to the Governor; and as we ſee no public Service in ſuch a Practice, nor know of any Right in the Governor ſo peremptorily to demand it, we are not inclined to alter our ancient Cuſtom. It has been frequent not to print the Votes till the End of the Year, and that without the leaſt Deſign of keeping the Proceedings of the Houſe a Secret from our Governors. And we ſuppoſe ſcarce any Votes of the ſame Bulk and Quantity have ever been publiſhed much ſooner than theſe are like to be. When they appear, we conceive nothing will be found in them, that can give the leaſt Reaſon to ſuppoſe, they were affectedly delayed; or that the Governor's Charge againſt us, of taking a very extraordinary and unconſtitutional Meaſure to keep them a Secret from him, has any real Foundation. What the Conſtruction is, that the Governor thinks our Conduct in this Reſpect is liable to, we can neither know nor gueſs; but whatever it be, we had rather it had been ſpoken plainly than inſinuated; for ſo we might have had an Opportunity of ſaying what ſhould be proper in our Juſtification. However, as we are conſcious of the firmeſt Loyalty to the Crown, and moſt upright Intentions towards the People we repreſent, we are not very apprehenſive of any great Prejudice from ſuch Inſinuations. And when we reflect on the Weight and Importance of the Matters laid before us in the Governor's Meſſage of the Morning, in which he ſo earneſtly preſſes us to *Unanimity*

and

and *Dispatch*, we cannot but be surprised at receiving Messages of so different a Kind in the Afternoon, such as can only tend to produce *Division* and *Delay*, and to waste our Time in Disputes on Things of little or no Moment, when there is such Danger of losing the happy Opportunity mentioned by the Governor, and Unanimity between him and the House, on this Occasion, is so necessary to the Public Welfare. We would therefore humbly intreat the Governor, to suspend these irritating Accusations, and novel Demands, till a Season of more Leisure, and permit us to proceed, without any further Interruption of that Kind, on the Business for which he has been pleased to call us together, and the very important Matters he has recommended to our Consideration."

1755. *March* 19.

And the Message being signed by the Speaker, by Order of the House;

Ordered, That *Evan Morgan* and *James Burnside* do carry it up to the Governor.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order.

Post Meridiem

The Governor's Message of Yesterday Morning was again read, and considered; and, after some Time spent therein, was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *March* 20.

Sundry Letters from *George Croghan*, and one from *Conrad Weiser*, to the Speaker, containing Accounts of Expences on *Indian* Affairs, were laid before the House and read, and referred to the Committee of Accounts.

An Account from the Governor, amounting to *One Hundred* and *Forty Pounds Two Shillings*, for sundry Disbursements by him paid on *Indian* Affairs, was laid before the House and read, and referred to the Committee of Accounts.

The Governor's Message of the 18th Instant, *A. M.* was again read, and considered; and, after some Time spent therein,

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Peter Worral*, *John Smith*, *Moses Starr* and *James Burnside* be a Committee to prepare a Draught of an Answer to the said Message, and report the same to the House.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message of the 18th Instant, *A. M.* reported the same to the House, and it was read, debated, and, with some few Amendments, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

And the same being accordingly transcribed, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

Assembly's Answer to the Governor's Message of the 18th Instant, *A. M.*

THOUGH the Season of the Year, and the Badness of the Roads, have made it difficult for many of us to attend the Governor's Call of the House at this Time, yet considering the present Circumstances of Affairs, and the Matters of Importance he has been pleased to lay before us, we return him our Thanks for giving us this Opportunity of continuing to demonstrate our Loyalty to our King, our Regard to the *British* Interest in *America*, and our Care of the People we represent.

As we are resolved to contribute such Sums of Money as may be consistent with our Circumstances on the present Occasion, we shall immediately proceed to consider the best Methods of raising and discharging the same, and shall forthwith prepare a Bill for that Purpose to be laid before the Governor for his Assent.

The other Parts of his Message will also come under our Deliberation with all possible Dispatch, that nothing may be wanting on our Part which may contribute to the Prosperity or Honour of this Colony; and if the Governor has received any further Intelligence which may be of Service to us in the Course of our Business, we make no Doubt he will be pleased to communicate it to us for our Consideration.

The foregoing Message being signed by the Speaker, by Order of the House;

Ordered, That *Peter Dicks* and *John Smith* wait upon the Governor with the same.

Benjamin Franklin, one of the Members of this House, laid before the House a Letter he had received from the Governor, and desired the Directions of the House thereupon.

And the said Letter being read, was ordered to be inserted in the Minutes, and it accordingly follows in these Words, *viz.*

Gentlemen, *Wednesday*, *March* 19, 1755, Four o'Clock, *P. M.*

Governor's Letter to the Printers.

'OBSERVING by the Minutes of the Assembly which you sent me, that two Letters from Sir *Thomas Robinson*, one of his Majesty's principal Secretaries of State, to me, the one of *July* 5, and the other of *October* 26, 1754, are there printed at large; and as no Person or Body in this Province has any Right to make public his Majesty's Commands to me, signified by a Secretary of State, further than I shall think proper, and as I conceive it may be very prejudicial to his Majesty's Service to publish those

1755. March 20. ‘ Letters, I do therefore notify the ſame to you, and do hereby forbid you to publiſh ‘ the ſame.

I am, Gentlemen,
Your moſt humble Servant,

To Meſſieurs Franklin *and* Hall,
Printers in Philadelphia. *ROBERT HUNTER MORRIS.*"

The Houſe taking the foregoing Letter into Conſideration,

Reſolved, That the Letters from Sir *Thomas Robinſon* of *July* 5, and *October* 26, were properly inſerted among the Votes and Proceedings of the laſt Sitting; and that the Houſe in their Meſſage to the Governor of the 19th Inſtant, have ſhewn, by ſufficient Reaſons, that the Expunging of thoſe Letters was both improper and unneceſſary.

Reſolved, That the Right of directing what ſhall, or ſhall not, be inſerted in the Minutes of this Houſe, is ſolely in the Houſe; and that the Governor hath not, nor can have, any Right to interfere therein.

Ordered, That the Printer to this Houſe proceed to publiſh the Minutes and Proceedings of the laſt Sitting of Aſſembly as they now ſtand.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 21. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order.

The Houſe reſumed the Conſideration of the Governor's Meſſage of the 18th Inſtant, *A. M.* and, after ſome Time ſpent therein, it was referred to farther Conſideration.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and ordered to be taken into Conſideration To-morrow Morning.

The ſaid Meſſage is as follows, *viz.*

GENTLEMEN,

‘ I HAVE ordered the Secretary to inſpect the Journals of your Houſe, from the 17th ‘ to the 20th of this Inſtant *March*, both incluſive, and to take a Copy thereof.

March 21, 1755. *ROBERT HUNTER MORRIS.*"

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem A Letter from *Richard Patridge*, Eſq; one of the Agents of this Province, to the Committee of Correſpondence, was laid before the Houſe and read.

The Houſe proceeded on the Conſideration of the Governor's Meſſage of the 18th Inſtant, *A. M.* and, after a conſiderable Debate thereupon, the ſame was referred to further Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 22. *Ordered*, That the Conſideration of the Governor's Meſſage of Yeſterday be referred to the next Week.

The Houſe again reſuming the Conſideration of the Governor's Meſſage of the 18th Inſtant, *A. M.*

Reſolved, That this Houſe will on *Third-day* next, in the Morning, reſolve itſelf into a Committee of the whole Houſe, to conſider of Ways and Means for raiſing a Sum of Money for the King's Uſe.

Ordered, That *Joſeph Fox*, *Benjamin Franklin*, *Joſeph Hamton*, *Nathaniel Pennock*, *Calvin Cooper*, *Joſeph Armſtrong*, *Moſes Starr* and *James Burnſide* be a Committee to prepare a Bill for preventing the Exportation of Proviſions and Naval or Warlike Stores to *Cape-Breton*, or to any other the Dominions of the *French* King, or Places in Poſſeſſion of any of his Subjects.

The Letter from Major General *Braddock* to the Governor was read; and that Part thereof relating to the Eſtabliſhing a Poſt between this Place and *Wincheſter*, was taken into the Conſideration of the Houſe, and, after ſome Time ſpent therein, the Houſe requeſted *Benjamin Franklin*, Poſtmaſter-General, to conſider the ſaid Propoſal, and report to the Houſe his Opinion of the beſt Method of eſtabliſhing and ſupporting ſuch Poſt.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

March 24. The Houſe met according to their Adjournment.

Poſt Meridiem The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, with ſundry Papers referred to therein, and the Meſſage being read, is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ‘ GOVERNOR *Shirley*, for ſecuring the Colonies againſt the future Encroach- ‘ ments of the *French*, having, among other Meaſures, formed a Deſign to build ‘ a Fort near *Crown-Point*, within the Limits of his Majeſty's Territories; and his ‘ Council and Aſſembly having chearfully concurred with him in the Thing, he has ‘ ſent Commiſſioners to this and other Governments, to ſolicit them to join in the Un- ‘ dertaking, and ſome Time ago wrote me fully upon the Head.

‘ Mr. *Quincy*, one of the Commiſſioners ſent to this Province, is arrived, and has ‘ made

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'made Application to me. And I now send you a Copy of his Letter, as also of Go-
'vernor *Shirley's* Message to his Council and Assembly, their Resolutions upon it, and
'of his Letter to me upon this and other Affairs. And as you will see by those Papers
'what is expected from this Province, I heartily recommend it to you, to grant the ne-
'cessary Supplies for that important Service.

'I must desire you to keep this Affair secret; for as you have given me no Assurances
'of doing so, the bad Consequences of an untimely Discovery, may, though unjustly,
'be attributed to you.

March 24, 1755. "ROBERT HUNTER MORRIS."

And the Papers referred to in the foregoing Message, were likewise read, and are severally entituled as followeth, *viz.*

1. *A Letter from Governor* Shirley *to Governor* Morris; *dated* February 25, 1755.

2. *Governor* Shirley's *Speech to the Council and House of Representatives of the Province of* Massachusetts-Bay, *in* New-England, February 13, 1755.

3. *Resolves of the Council and House of Representatives of the Province of* Massachusetts-Bay, *February* 18, 1755.

4. *A Copy of a Letter to the Governor from* Josiah Quincy, *Esq*; *dated* Philadelphia, March 21, 1755.

Ordered, That the Clerk do take particular Care, that the foregoing Message and Papers be not seen by any but the Members of this House.

The Secretary informed the House, that *Scarroyady* was returned from the *Six Nations* with an Answer to the Message he had in Charge; but having quarrelled with his Interpreter, and left him behind, the Governor desired the Opinion of the House, whether it would not be proper to send for the Province Interpreter, as there was no one now in Town who could converse with the said *Scarroyady*.

The Secretary likewise informed the House, that he had the Governor's Orders to inspect the Journals of this Sitting of Assembly, and desired that the House would give an Answer in Writing to this Demand.

Then the Secretary was desired to withdraw for a While; which he accordingly did.

And the House taking the Governor's Message, relating to the Secretary's inspecting their Minutes, into Consideration,

Resolved, That this House will To-morrow Morning return the Governor an Answer thereto in Writing.

And the Secretary being called in, was informed of the said Resolution, by the Speaker, by Order of the House; and then withdrew.

Ordered, That *Joshua Morris* and *Samuel Brown* wait upon the Governor, and acquaint him, that the House are of Opinion it is necessary that *Conrad Weiser*, the Province Interpreter, should be sent for, to interpret between the Governor and *Scarroyady*.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

March 25. The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he should immediately dispatch a Messenger for the Interpreter.

The Governor, by the Secretary, sent down to the House a Message in Writing, with sundry Papers therein referred to, which were read, and the Message follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'BY Express from *Maryland*, I have an Account of the safe Arrival of the Transports in *Virginia*, with the Troops and Train of Artillery, destined for *American* Service, upon which I heartily congratulate you.

'His Majesty's Care and Affection for his Subjects in *America* has induced him to 'send this large and seasonable Assistance for the Recovery of those Possessions that the '*French*, contrary to the Faith of Treaties, have seized; and we shall be greatly wanting to ourselves, if we neglect to make Use of this Opportunity to frustrate the Attempts of that perfidious People.

'To render effectual the Measures taken by his Majesty and our Mother Country upon 'this Occasion, it is expected that the Colonies shall raise an additional Number of Men 'to join those his Majesty has sent upon this Service; and that they should furnish Provisions, and all Necessaries, to the Forces employed for their Protection; as you will 'see by a Letter from the Earl of *Halifax*, and another from General *Braddock*, to me, 'which will be laid before you. And this is so reasonable in itself, that I cannot doubt 'of its being readily complied with by all the Provinces, in Proportion to their Abilities; and I hope, that as *Pennsylvania* is the most interested in the Event of this Expedition, you will exert yourselves as becomes the Representatives of a People actually 'invaded, and having their All depending upon the Success of the present Enterprise.

'I earnestly beseech you, Gentlemen, well to consider what may be the Consequence 'of your now refusing to grant the necessary Supplies, as we may be assured his Majesty

'will

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'will not condeſcend repeatedly to recommend to you in vain the making Proviſion 'for your own Defence; but will, doubtleſs, upon your Refuſal, be enabled by his 'Parliament to oblige thoſe who reap the immediate Benefit of ſuch a chargeable Pro- 'tection to contribute their Proportion of it; and if by a Diſappointment in the Ar- 'ticles expected to be ſupplied by you, the great Expence that the Nation has been put 'to for the Security of theſe valuable Branches of the *Britiſh* Empire ſhould be rendered 'unavailable, you cannot but think you will juſtly draw upon you the Reſentment of 'his Majeſty, and a *Britiſh* Parliament.

March 25, 1755. *ROBERT HUNTER MORRIS.*"

The Papers ſent down to the Houſe, with the foregoing Meſſage, are entituled as followeth, *viz.*

1. *A Letter from the Earl of* Halifax *to the Governor*; *dated* Groſvenor-Square, November 26, 1754.

2. *A Letter from General* Braddock *to the Governor*; *dated* Williamſburg, March 10, 1755.

The following Meſſage to the Governor, in Anſwer to his Meſſage of the 21ſt Inſtant, was delivered to the Secretary, by Order of the Houſe, *viz.*

May it pleaſe the GOVERNOR,

Aſſembly's Anſwer to the Governor's Meſſage of the 21ſt Inſtant.

WHEN the preſent Sitting is ended, the Minutes will be reviſed by the Committee appointed for that Purpoſe, and immediately printed, and when printed, a fair Copy will be preſented to the Governor, according to our long continued Cuſtom. Till then, we hope the Governor will excuſe us, if we do not permit any Perſon to inſpect them, or any Copy of them to be taken."

The Order of the Day being read, for the Houſe to reſolve itſelf into a Committee of the whole Houſe, to conſider of Ways and Means for raiſing a Sum of Money for the King's Uſe;

Reſolved, That the Speaker do now leave the Chair.

The Houſe accordingly reſolved itſelf into a Committee of the whole Houſe, to conſider of Ways and Means for raiſing a Sum of Money for the King's Uſe; and after ſome Time ſpent therein, the Speaker reſumed the Chair, and *Hugh Evans*, Chairman, reported, that the Committee had made ſome Progreſs in the Matters referred to them, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again in the Afternoon.

Reſolved, That this Houſe will again reſolve itſelf into a Committee of the whole Houſe, to take into their further Conſideration Ways and Means for raiſing a Sum of Money for the King's Uſe, this Afternoon.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

The Houſe (according to Order) again reſolved itſelf into a Committee of the whole Houſe, to take into their further Conſideration Ways and Means for raiſing a Sum of Money for the King's Uſe; and after ſome Time ſpent therein, the Speaker reſumed the Chair, and *Hugh Evans*, Chairman, reported the Reſolutions of the Committee, which he read in his Place, and afterwards delivered in at the Table, where the ſame were again read, and agreed to by the Houſe, and are as followeth, *viz.*

Reſolved, That the Sum of *Twenty-five Thouſand Pounds* be at this Time given to the King's Uſe; and that the ſame be ſtruck in Paper Bills of Credit, and ſunk by an Extenſion of the Exciſe Act for the further Term of Ten Years.

Reſolved, That *Five Thouſand Pounds*, Part of the ſaid *Twenty-five Thouſand Pounds*, be paid into the Hands of *Iſaac Norris*, *Evan Morgan*, *Joſeph Fox*, *James Pemberton*, *James Wright*, *Joſeph Armſtrong* and *John Smith*, Gentlemen, to enable them to diſcharge the Sums they have borrowed, or may borrow, for the King's Service, in Purſuance of an Order of Aſſembly, made on the Third Day of the Month, called *January*, laſt paſt.

Reſolved, That *Ten Thouſand Pounds*, Part of the ſaid *Twenty-five Thouſand Pounds*, be laid out in the Purchaſe of Proviſions, now requeſted by the Government of *Maſſachuſetts-Bay*, to victual the Forces about to march for ſecuring his Majeſty's Territories.

Reſolved, That *Five Thouſand Pounds*, Part of the ſaid *Twenty-five Thouſand Pounds*, be paid in Diſcharge of ſuch Orders as may be drawn on this Province, for the King's Uſe, by the Honourable *Edward Braddock*, Eſq; General of his Majeſty's Forces in *North-America*.

Reſolved, That *Five Thouſand Pounds*, the Reſidue of the ſaid *Twenty-five Thouſand Pounds*, be appropriated towards maintaining ſuch *Indians* in our Alliance as have taken, or may take, Refuge in this Province, Payment of Poſts or Expreſſes, Hire of Carriages, Clearing of Roads, and other neceſſary contingent Expences for the King's Service, as may be incumbent on this Government to diſcharge.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *William Hoge*, *Thomas Cummings*, *Peter*

1755.

Peter Worral, Joseph Armstrong, Moses Starr and *James Burnside* be a Committee to prepare and bring in a Bill pursuant to the foregoing Resolutions. *March* 25.

Then the House adjourned to Three o'Clock To-morrow Afternoon. Adjournment

A Bill for striking the Sum of *Twenty-five Thousand Pounds* in Bills of Credit, and giving the same to the King's Use; and for providing a Fund to sink the Bills so to be emitted, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading. *March* 26. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for striking the Sum of *Twenty-five Thousand Pounds* for the King's Use, was read the second time; and, after some few Amendments made therein, it was ordered to be transcribed for a third Reading. *March* 27.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Committee appointed to prepare a Draught of a Bill for preventing the Exportation of Provisions, *&c.* to the *French*, reported, that they had made some Progress therein, and should be ready to bring the same to the House To-morrow Morning. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from a considerable Number of the Cordwainers of the City of *Philadelphia* was presented to the House and read, setting forth, that great Quantities of Leather being of late Years exported from this Province, it is now become very scarce; that the Tanners taking Advantage thereof, not only demand very high Prices for the Leather consumed here, but also raise it to such a Pitch in Lime (to open the Pores of the Hides to let in the Juice of the Bark, that it may tan quick) that it is generally unfit for Use, and makes unservicable Shoes, to the great Deceit and Injury of the Buyers; that the Tanners likewise neglect to scour the Skins from the Dirt and yellow Stuff of the Tan, and to clear the Sole-leather of the Flesh and Offals left by the Butchers on the Hides, by which Means the Hides weigh considerably more than they ought; that some of the Tanners also sell their Leather very damp, and the Butchers, by cutting and slashing the Hides and Skins, render them disadvantageous both to the Cordwainers and Wearers of the Shoes; that the Petitioners are often obliged to buy and work up such Leather, bad as it is, or let a Number of Hands be idle, to the Ruin of themselves and Families; that the Petitioners are informed, that several Gentlemen, justly dissatisfied with the Shoes made in *Philadelphia*, on Account of the Badness of the Leather, send to *Europe* for their Shoes, which Practice, if continued, will occasion the Cordwainers Trade to decline in the said City, and drive a Number of industrious Families out of the Province; that the Tanners frequently buy up the Leather that is sent hither from *Carolina* and elsewhere, and sell it again by Retail to the Cordwainers, by which Means they keep up the Price thereof: The Petitioners therefore pray, that this House would take the Premises into their Consideration, and grant them Leave to bring in a Bill to remedy the Evils complained of, or afford them such other Relief as shall be judged most proper. *March* 28.

Ordered, That the Clerk do make out a Copy of the said Petition, and deliver it to some of the Tanners of the City of *Philadelphia*, that they may have an Opportunity of answering the Matters contained therein, should they so incline.

A Bill to prevent the Exportation of Provisions, naval or warlike Stores, from this Province to *Cape-Breton*, or to any other the Dominions of the *French* King, or Places at present in Possession of any of his Subjects, was brought in by the Committee appointed for that Purpose, read the first time, and ordered a second Reading.

The Bill, entituled, *An Act for striking the Sum of* Twenty-five Thousand Pounds *in Bills of Credit, and giving the same to the King's Use; and for providing a Fund to sink the Bills so to be emitted*, being transcribed, and read the third time;

Resolved, That the Bill do pass.

Ordered, That *Thomas Cummings* and *Derrick Hogeland* carry up the same to the Governor for his Concurrence, and acquaint him, that the House desire to know what Progress he has made in the Bill for preventing the spreading of infectious Distempers, *&c.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor with the Bill for striking *Twenty-five Thousand Pounds* for the King's Use, report, that they had delivered the same according to Order; and that the Governor was pleased to inform them, that he had made a considerable Progress in the Bill for preventing the Spreading of infectious Distempers, *&c.* and should lay it before the Council To-morrow for their Consideration. *Post Meridiem*

The Bill to prevent the Exportation of Provisions, and naval or warlike Stores, to the *French*, was read the second time, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill, entituled, *An Act to prevent the Exportation of Provisions, naval or warlike Stores from this Province to* Cape-Breton, *or to any other the Dominions of the* French *King*, *March* 29.

1755. *March* 29. *or Places at preſent in Poſſeſſion of any of his Subjects*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Mahlon Kirkbride* and *Calvin Cooper* do carry up the ſame to the Governor for his Concurrence.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

March 31. The Houſe met according to their Adjournment.

Poſt Meridiem. The Gentlemen appointed to wait upon the Governor with the Bill for preventing the Exportation of Proviſions, and naval or warlike Stores to the *French*, report, that they had delivered the ſame according to Order.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 1. The Governor, by the Secretary, ſent down to the Houſe two Meſſages in Writing, with two Papers, entituled as followeth, *viz.*

1. *A Copy of the Minutes of Council, containing what paſſed between the Governor and* Scarroyady, *on the 20th and 24th of* December *laſt.*

2. *A Copy of the Minutes of Council of the 31ſt Inſtant, containing an Account of the Proceedings of* Scarroyady, *in his late Journey to the Country of the* Six Nations.

The before-mentioned Meſſages and Papers were read, and the Meſſages follow in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'SCARROYADY coming to Town without an Interpreter, I ſent for Mr. *Weiſer*, 'and Yeſterday received from this Chief an Account of his Proceedings in the Diſ-'charge of the ſeveral Matters committed to his Care by the *Ohio Indians*, and the Go-'vernments of *Virginia*, *Maryland*, and this Province; which, together with what paſ-'ſed when he was laſt here in his Way to the *Six Nations*, will be laid before you by 'the Secretary.

'So much depends on the Diſpoſition and Meaſures of the *Indians* at this Time, that 'I muſt earneſtly recommend it to you to make Proviſion for the enſuing Treaty, as 'well as to enable me to take proper Notice of this Chief, who is ſo hearty in our In-'tereſt, and of the young Men he has brought along with him, in order to be employed 'in ſome Services, which, he ſays, are of Importance to the general Cauſe.

'It will readily occur to you, that the ſeveral Weſtern *Indians*, who wiſh well to the '*Engliſh* Intereſt, wait with Impatience for the Return of this Chief, and will form 'their Meaſures according to the Report which he ſhall make to them of our Treatment 'of them; for which Reaſon it will be of the laſt Conſequence, that this Chief, and 'theſe young Men, go from us well cloathed, and perfectly well pleaſed.

March 31, 1755. *ROBERT HUNTER MORRIS.*"

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'YOUR Bill for ſtriking *Twenty-five Thouſand Pounds*, being contrary to his Ma-'jeſty's Inſtructions relating to Paper-money, and of the ſame Nature with the 'Bill I refuſed my Aſſent to the laſt Sitting of Aſſembly, I cannot paſs it into a Law, 'without a Breach of Duty to the Crown; and I am concerned that you ſhould offer 'ſuch a Bill to me, when you had agreed to ſubmit the Diſpute between us, upon one 'of the like Kind, to his Majeſty.

'As this is a Time of imminent Danger, and the Forces raiſed and deſtined for the 'Service of the Colonies muſt wait the Supplies from this Province, I again intreat you 'to fall upon ſome other Method of raiſing Money, that we may not loſe this happy Op-'portunity of recovering his Majeſty's Dominions, now invaded by the Subjects of the '*French* King, and preventing their juſt Encroachments for the future.

'But if theſe repeated Recommendations of ſo reaſonable a Supply ſhall fail of the 'deſired Effect, and any ill Conſequences ſhould attend it, his Majeſty and his Mini-'ſters, a *Britiſh* Parliament, your own Conſtituents, and the neighbouring Governments, 'will be at no Loſs on whom to lay the Blame.

April 1, 1755. *ROBERT HUNTER MORRIS.*"

The Governor likewiſe ſent down to the Houſe the Bill to prevent the Exportation of Proviſions, and naval or warlike Stores, to the *French*, which, the Secretary acquainted the Houſe the Governor was ready to paſs into a Law, whenever the Houſe ſhall think fit to offer it to him for that Purpoſe; but he recommended it to the Houſe to conſider whether it would not be proper to leave out that Paragraph in the ſaid Bill which relates to Boats and ſmall Craft, and likewiſe to continue the Act in Force for a longer Term.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe being informed that *Joſiah Quincy*, Eſq; Commiſſioner from the Government of *Maſſachuſetts-Bay*, was attending, and had ſomething to offer to the Houſe for their Conſideration, he was called in, and, with the Leave of the Houſe, read, and then delivered in at the Table, the following Memorial, *viz.*

A MEMO-

A MEMORIAL from JOSIAH QUINCY, *Esq; Commissioner from his Majesty's Province of* Massachusetts-Bay, *in* New-England. 1755. April 1.

To the Honourable HOUSE OF REPRESENTATIVES *of the Province of* Pennsylvania, *now sitting in Philadelphia.*

GENTLEMEN,

'I AM extremely sorry to find, that notwithstanding all the Motives and Arguments I was able to offer his Honour the Lieutenant-Governor, he did not see his Way 'clear to give his Consent to the Money Bill you have laid before him.

'The Chearfulness with which you therein granted *Ten Thousand Pounds*, for victualling the Forces, intended to march from *New-England* to secure his Majesty's Territories, leaves me no Room to doubt your Zeal for his Majesty's Service, or your 'hearty Concurrence with the Government I have the Honour to represent, in the Measures now proposed for our common Safety: And therefore, though you are unhappily disappointed in the Manner of your Grant, I flatter myself you will not fail to find 'some other Means of rendering it effectual.

'The Advantages which a speedy and vigorous Execution of those Measures promises 'to all the Colonies, and the Mischiefs which a Neglect of them will entail upon us 'and our Posterity, are clearly pointed out, and fully illustrated in the Papers which 'have been the Subject of your late Deliberations.

'In rendering this important Service to the Crown, to the *British* Nation, and to 'their Fellow Subjects in the other Governments, *New-England* offers to spend her 'Treasure as freely as her Blood, and were her Abilities equal to her Zeal, would as 'chearfully bear the whole Expence, as she undertakes the whole Hazard of the Enterprize. But the vast yearly Charge she is subjected to, by her Vicinity to the *French*, 'and the Necessity of defending so extensive a Frontier from the Incursions of those perfidious People, and their *Indians*, both in Time of Peace and War, has so exhausted 'her Finances, and burdened her with such a Load of Debt, that without the Assistance 'of the neighbouring more wealthy Colonies, she must drop the Design, however promising and glorious, as utterly impracticable.

'Happy will your Province be, Gentlemen, if you can still keep those dangerous 'People at a Distance from your Borders, by which you will be free from the many 'Mischiefs we have always suffered by their Neighbourhood.

'The Opportunity is now offered you, and, if embraced, will, by the Blessing of 'God, secure your future Peace and Prosperity. But whatever you do, should be determined instantly, for the Season flies, and a Delay may be as pernicious as a Refusal.

'I have just received Advice, that *Connecticut* has voted Fifteen Hundred Men, and 'that even the little Government of *Rhode-Island* has granted Four Hundred, the Expence of which will be more than is asked of you. *New-York* seems heartily disposed 'to do her Part; and there is Reason to think that your good Example may have an 'advantageous Influence on your Neighbours of *New-Jersey*.

'I need say no more to urge you to a speedy and effectual Resolution, but conclude, 'with the utmost Respect, *Gentlemen*,

Your most humble

Philadelphia, April, 1, 1755. *and obedient Servant,*

JOSIAH QUINCY."

Ordered, That Candles be brought in;

And they were brought in accordingly.

The foregoing Memorial was read at the Table, and considered; and, after some Time spent therein, referred to farther Consideration To-morrow Morning.

The House agreed to the Alterations recommended by the Governor to the Bill for preventing the Exportation of Provisions, and naval or warlike Stores, to the *French*; and the said Bill was altered accordingly, and ordered to be engrossed.

Ordered, That the Clerk do call upon the Secretary for the Bill for striking *Twenty-five Thousand Pounds* for the King's Use; which has not been returned to the House as usual.

Ordered, That *James Pemberton* and *James Burnside* wait upon the Governor, and acquaint him, that the House are very desirous to know whether he has come to any Result upon the Bill now before him for preventing the Spreading of infectious Distempers, *&c.*

Ordered, That *Moses Starr* have Leave to be absent the Remainder of this Sitting on urgent Business.

Then the House adjourned to Ten o'Clock To-Morrow Morning. Adjournment

The Memorial of *Josiah Quincy*, Esq; being again read, and considered; *April* 2.

Resolved, That the Sum of *Fifteen Thousand Pounds* be now given to the King's Use; *Five Thousand Pounds* thereof to repay the Money borrowed for victualling the King's Troops

1755. *March* 29. *or Places at preſent in Poſſeſſion of any of his Subjects*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Mahlon Kirkbride* and *Calvin Cooper* do carry up the ſame to the Governor for his Concurrence.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

March 31. The Houſe met according to their Adjournment.

Poſt Meridiem. The Gentlemen appointed to wait upon the Governor with the Bill for preventing the Exportation of Proviſions, and naval or warlike Stores to the *French*, report, that they had delivered the ſame according to Order.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 1. The Governor, by the Secretary, ſent down to the Houſe two Meſſages in Writing, with two Papers, entituled as followeth, *viz.*

1. *A Copy of the Minutes of Council, containing what paſſed between the Governor and* Scarroyady, *on the 20th and 24th of* December *laſt.*

2. *A Copy of the Minutes of Council of the 31ſt Inſtant, containing an Account of the Proceedings of* Scarroyady, *in his late Journey to the Country of the* Six Nations.

The before-mentioned Meſſages and Papers were read, and the Meſſages follow in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'SCARROYADY coming to Town without an Interpreter, I ſent for Mr. *Weiſer*, 'and Yeſterday received from this Chief an Account of his Proceedings in the Diſ-'charge of the ſeveral Matters committed to his Care by the *Ohio Indians*, and the Go-'vernments of *Virginia*, *Maryland*, and this Province; which, together with what paſ-'ſed when he was laſt here in his Way to the *Six Nations*, will be laid before you by 'the Secretary.

'So much depends on the Diſpoſition and Meaſures of the *Indians* at this Time, that 'I muſt earneſtly recommend it to you to make Proviſion for the enſuing Treaty, as 'well as to enable me to take proper Notice of this Chief, who is ſo hearty in our In-'tereſt, and of the young Men he has brought along with him, in order to be employed 'in ſome Services, which, he ſays, are of Importance to the general Cauſe.

'It will readily occur to you, that the ſeveral Weſtern *Indians*, who wiſh well to the '*Engliſh* Intereſt, wait with Impatience for the Return of this Chief, and will form 'their Meaſures according to the Report which he ſhall make to them of our Treatment 'of them; for which Reaſon it will be of the laſt Conſequence, that this Chief, and 'theſe young Men, go from us well cloathed, and perfectly well pleaſed.

March 31, 1755. *ROBERT HUNTER MORRIS.*"

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'YOUR Bill for ſtriking *Twenty-five Thouſand Pounds*, being contrary to his Ma-'jeſty's Inſtructions relating to Paper-money, and of the ſame Nature with the 'Bill I refuſed my Aſſent to the laſt Sitting of Aſſembly, I cannot paſs it into a Law, 'without a Breach of Duty to the Crown; and I am concerned that you ſhould offer 'ſuch a Bill to me, when you had agreed to ſubmit the Diſpute between us, upon one 'of the like Kind, to his Majeſty.

'As this is a Time of imminent Danger, and the Forces raiſed and deſtined for the 'Service of the Colonies muſt wait the Supplies from this Province, I again intreat you 'to fall upon ſome other Method of raiſing Money, that we may not loſe this happy Op-'portunity of recovering his Majeſty's Dominions, now invaded by the Subjects of the '*French* King, and preventing their juſt Encroachments for the future.

'But if theſe repeated Recommendations of ſo reaſonable a Supply ſhall fail of the 'deſired Effect, and any ill Conſequences ſhould attend it, his Majeſty and his Mini-'ſters, a *Britiſh* Parliament, your own Conſtituents, and the neighbouring Governments, 'will be at no Loſs on whom to lay the Blame.

April 1, 1755. *ROBERT HUNTER MORRIS.*"

The Governor likewiſe ſent down to the Houſe the Bill to prevent the Exportation of Proviſions, and naval or warlike Stores, to the *French*, which, the Secretary acquainted the Houſe the Governor was ready to paſs into a Law, whenever the Houſe ſhall think fit to offer it to him for that Purpoſe; but he recommended it to the Houſe to conſider whether it would not be proper to leave out that Paragraph in the ſaid Bill which relates to Boats and ſmall Craft, and likewiſe to continue the Act in Force for a longer Term.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe being informed that *Joſiah Quincy*, Eſq; Commiſſioner from the Government of *Maſſachuſetts-Bay*, was attending, and had ſomething to offer to the Houſe for their Conſideration, he was called in, and, with the Leave of the Houſe, read, and then delivered in at the Table, the following Memorial, *viz.*

A MEMO-

A MEMORIAL from JOSIAH QUINCY, *Esq; Commissioner from his Majesty's Province of* Massachusetts-Bay, *in* New-England. 1755. April 1.

To the Honourable HOUSE OF REPRESENTATIVES *of the Province of* Pennsylvania, *now sitting in Philadelphia.*

GENTLEMEN,

'I AM extremely sorry to find, that notwithstanding all the Motives and Arguments I was able to offer his Honour the Lieutenant-Governor, he did not see his Way 'clear to give his Consent to the Money Bill you have laid before him.

'The Chearfulness with which you therein granted *Ten Thousand Pounds*, for victualling the Forces, intended to march from *New-England* to secure his Majesty's Territories, leaves me no Room to doubt your Zeal for his Majesty's Service, or your 'hearty Concurrence with the Government I have the Honour to represent, in the Measures now proposed for our common Safety: And therefore, though you are unhappily disappointed in the Manner of your Grant, I flatter myself you will not fail to find 'some other Means of rendering it effectual.

'The Advantages which a speedy and vigorous Execution of those Measures promises 'to all the Colonies, and the Mischiefs which a Neglect of them will entail upon us 'and our Posterity, are clearly pointed out, and fully illustrated in the Papers which 'have been the Subject of your late Deliberations.

'In rendering this important Service to the Crown, to the *British* Nation, and to 'their Fellow Subjects in the other Governments, *New-England* offers to spend her 'Treasure as freely as her Blood, and were her Abilities equal to her Zeal, would as 'chearfully bear the whole Expence, as she undertakes the whole Hazard of the Enterprize. But the vast yearly Charge she is subjected to, by her Vicinity to the *French*, 'and the Necessity of defending so extensive a Frontier from the Incursions of those perfidious People, and their *Indians*, both in Time of Peace and War, has so exhausted 'her Finances, and burdened her with such a Load of Debt, that without the Assistance 'of the neighbouring more wealthy Colonies, she must drop the Design, however promising and glorious, as utterly impracticable.

'Happy will your Province be, Gentlemen, if you can still keep those dangerous 'People at a Distance from your Borders, by which you will be free from the many 'Mischiefs we have always suffered by their Neighbourhood.

'The Opportunity is now offered you, and, if embraced, will, by the Blessing of 'God, secure your future Peace and Prosperity. But whatever you do, should be determined instantly, for the Season flies, and a Delay may be as pernicious as a Refusal.

'I have just received Advice, that *Connecticut* has voted Fifteen Hundred Men, and 'that even the little Government of *Rhode-Island* has granted Four Hundred, the Expence of which will be more than is asked of you. *New-York* seems heartily disposed 'to do her Part; and there is Reason to think that your good Example may have an 'advantageous Influence on your Neighbours of *New-Jersey*.

'I need say no more to urge you to a speedy and effectual Resolution, but conclude, 'with the utmost Respect, *Gentlemen*,

Your most humble

Philadelphia, April, 1, 1755. *and obedient Servant,*

JOSIAH QUINCY."

Ordered, That Candles be brought in;

And they were brought in accordingly.

The foregoing Memorial was read at the Table, and considered; and, after some Time spent therein, referred to farther Consideration To-morrow Morning.

The House agreed to the Alterations recommended by the Governor to the Bill for preventing the Exportation of Provisions, and naval or warlike Stores, to the *French*; and the said Bill was altered accordingly, and ordered to be engrossed.

Ordered, That the Clerk do call upon the Secretary for the Bill for striking *Twenty-five Thousand Pounds* for the King's Use; which has not been returned to the House as usual.

Ordered, That *James Pemberton* and *James Burnside* wait upon the Governor, and acquaint him, that the House are very desirous to know whether he has come to any Result upon the Bill now before him for preventing the Spreading of infectious Distempers, *&c.*

Ordered, That *Moses Starr* have Leave to be absent the Remainder of this Sitting on urgent Business.

Then the House adjourned to Ten o'Clock To-Morrow Morning. Adjournment

The Memorial of *Josiah Quincy*, Esq; being again read, and considered; *April 2.*

Resolved, That the Sum of *Fifteen Thousand Pounds* be now given to the King's Use; *Five Thousand Pounds* thereof to repay the Money borrowed for victualling the King's Troops

1755. *April* 2. Troops in *Virginia*; and that *Iſaac Norris*, *Evan Morgan*, *Joſeph Fox* and *Benjamin Franklin*, Members of this Houſe, and *Reeſe Meredith*, *John Mifflin* and *Samuel Smith*, Gentlemen, be a Committee to lay out the remaining *Ten Thouſand Pounds* in purchaſing and tranſporting Proviſions, now requeſted by the Government of the *Maſſachuſetts-Bay*, to victual the Forces about to march for ſecuring his Majeſty's Territories.

Ordered, That the ſaid Committee draw Bills, or Orders, on the Treaſurer and Truſtees of the General Loan-Office, for the ſaid *Fifteen Thouſand Pounds*; and that the Bills, or Orders, ſo drawn by the Committee, be made payable to the Bearer after Twelve Months, with Intereſt at *Five per Cent per Annum*, until paid.

Ordered, That the Treaſurer and Collectors of the Exciſe do readily receive the Bills, or Orders, of the ſaid Committee, in all Payments for Exciſe, or in Exchange for any Public Money in their Hands, and allow the Intereſt due thereon at the Time of Tender, whether before or after the Expiration of the Twelve Months.

Ordered, That the Truſtees of the General Loan-Office do readily receive the Bills, or Orders, of the ſaid Committee, in Diſcharge of any principal Sums or Intereſt due to that Office; and allow the Intereſt due on ſuch Bills, or Orders, at the Time of Payment, whether before or after the Expiration of the Twelve Months.

Ordered, That the Treaſurer urge the Collectors of the Exciſe to more Diligence and Punctuality in collecting and paying the ſame; and that he remove ſuch as continue negligent or delinquent.

Ordered, That the Truſtees of the General Loan-Office uſe the utmoſt of their Care and Diligence to collect the outſtanding Quotas and Intereſt now due to the ſaid Office, that the Money may be in Readineſs to diſcharge the Bills, or Orders, drawn on them, when tendered for Payment.

Ordered, That the Truſtees of the General Loan-Office, Treaſurer and Collectors of the Exciſe, do, when they receive any of the aforeſaid Bills, or Orders, for the Public, endorſe, on the Back thereof, the Time of receiving the ſame, and the Intereſt by them allowed thereon.

The Clerk reported, that he had, in Purſuance of the Order of the Houſe, called upon the Secretary for the Bill for ſtriking *Twenty-five Thouſand Pounds* for the King's Uſe, who informed him, that the ſaid Bill was with the Governor, to whom he would go for it, and return an Anſwer to the Houſe.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he had Yeſterday laid the Bill for preventing the Spreading of infectious Diſtempers before the Council, and they having made ſundry Alterations therein, his Clerk was copying it, and as ſoon as it was finiſhed, it ſhould be ſent up to the Houſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor, by the Secretary, ſent down to the Houſe the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel; and for preventing the Spreading of contagious Diſtempers within this Province, with a Paper containing ſundry propoſed Amendments thereto, which was read, and referred to farther Conſideration.

The Clerk reported to the Houſe, that the Secretary informed him, that he had acquainted the Governor with the Requeſt of the Houſe to have the Bill for ſtriking *Twenty-five Thouſand Pounds* for the King's Uſe returned to them, and that the Governor was pleaſed to ſay, "*It was very well.*"

Ordered, That *Evan Morgan* and *Joſeph Stretch* wait upon the Governor, and acquaint him, that the Houſe deſire he would be pleaſed to return them their Bill for ſtriking *Twenty-five Thouſand Pounds* for the King's Uſe, which was ſent up to him for his Aſſent on the 28th Day of the laſt Month.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 3. The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, the Bill for ſtriking *Twenty-five Thouſand Pounds* for the King's Uſe, is of ſo extraordinary a Nature, that he thinks it his Duty to lay the ſame before his Majeſty, and he keeps it for that Purpoſe.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ‘ I HAVE received Intelligence that the *French* have fitted out fifteen Sail of Line of Battle Ships, with which they are ſending Six Thouſand Land Forces; and ‘ though the King's Miniſters are informed of the general Deſtination of this Armament for *North-America*; yet the particular Place they intend to make a Deſcent upon ‘ is ſtill a Secret—But as they have already gained a Footing, and have a Body of Troops

‘ on

1755. *April* 3.

‘ on the Back of this Province, and cannot be ignorant of the defenceleſs State of this ‘ plentiful Colony, there is too much Reaſon to fear that their Deſigns may be againſt us.

‘ I think it therefore my Duty, Gentlemen, to call upon you to enable me to put ‘ this Province into a Poſture of Defence, by eſtabliſhing a regular Militia, and providing ‘ the neceſſary Stores of War.

April 3, 1755. *ROBERT HUNTER MORRIS.*”

An Account from *George Croghan*, for Diſburſements among the *Indians* at *Aughwick*, from *November* 25, 1754, to *March* 25, 1755, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Governor's Meſſage of the Firſt of *April*, *A. M.* with the Minutes of Council referred to therein, were again read, and conſidered, and referred to farther Conſideration.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Houſe being informed, that *Joſiah Quincy*, Eſq; Commiſſioner from the Government of *Maſſachuſetts-Bay*, was attending, and had ſomething to offer to the Houſe, he was called in; and addreſſing himſelf to the Chair, he read, and then delivered in at the Table, the following Paper, where it was again read, *viz.*

Mr. SPEAKER,

SIR, *Philadelphia, April* 3, 1755.

‘ THE Sum which this Honourable Aſſembly has granted to his Majeſty's Uſe, and ‘ appropriated for victualling the Troops intended to be marched for ſecuring his ‘ Majeſty's Territories, is an Inſtance of your Concern and Zeal for the Public Safety, ‘ which I doubt not will be highly acceptable to his Majeſty. And as it was made in ‘ Conſequence of my Application to you, I beg Leave to return you my grateful Senſe ‘ and Acknowledgment; and to aſſure you, in the Name and Behalf of the Government ‘ I have the Honour to repreſent, that it will be duly applied to the Purpoſes for which ‘ it was granted.

JOSIAH QUINCY.”

The Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel; and for preventing the Spreading of contagious Diſtempers within this Province, with the Governor's propoſed Amendments thereto, was again read, and conſidered; and, after ſome Time ſpent therein, the farther Conſideration thereof was adjourned till To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *April* 4.

A Letter from *George Croghan* to *James Wright*, one of the Members of this Houſe, was laid before the Houſe, and read, and referred to the Committee of Accounts.

The Houſe proceeded upon the Conſideration of the Governor's propoſed Amendments to the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel, *&c.* ſome of which the Houſe agreed to, and in others adhered to the Bill.

Ordered, That *Joſeph Fox* and *William Callender* do provide *Scarroyady*, and the other *Indians* accompanying him, with ſuch Clothes and other Neceſſaries as they may have Occaſion for.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

Ordered, That *William Callender* and *George Aſhbridge* wait upon the Governor with the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel, *&c.* and acquaint him, that the Houſe have agreed to ſundry of his propoſed Amendments to the ſaid Bill, and deſire that he would be pleaſed to paſs the ſame as it now ſtands; and further, that they acquaint the Governor, that the Bill to prevent the Exportation of Proviſions, and naval or warlike Stores, to the *French*, is engroſſed, with the Alterations agreed on, and the Houſe requeſt he would be pleaſed to appoint one of his Council to join with a Member of the Houſe in comparing the ſaid engroſſed Bill with the Original.

The Committee of Accounts reported in Writing on *George Croghan's* Account as follows, *viz.*

WE, your Committee, have examined the within Account, and finding the Sums therein charged, for Purchaſe of Wheat and Flour, ſo large, without aſcertaining the Quantity of each Article, or the Number of *Indians* which have, from Time to Time, been ſettled at *Aughwick*; and on a Calculation of the Wheat at *Three Shillings* and *Six-pence* per Buſhel, and Indian Corn at *Two Shillings* per Buſhel, it will amount to near five Pounds of Flour for each Perſon, *per* Day, ſuppoſing the Number to be Two Hundred, computing five Months from the Twenty-fifth of *November* laſt, which we think a very high Charge. —— We are therefore of Opinion, that the ſaid *George Croghan* ought to furniſh us with an Account of the Number of *Indians* which have been at *Aughwick* from the Commencement of this Account; alſo the particular Account of the Quantity of Wheat and Corn purchaſed for them, with proper Vouchers

1755. *April* 4. for the ſame, before we allow this Account: And we are further of Opinion, that as the Seaſon is now advancing, it will be moſt proper for the *Indians* to remove to a Place called *French Town*, ſituate on a Branch of the River *Saſquehanna*, where they may be able to plant and hunt for themſelves, and if it ſhould be found neceſſary to furniſh them with future Aſſiſtance for their Subſiſtence, it may be done at a far leſs Expence to the Government. Which we ſubmit to the Houſe.

EVAN MORGAN, WILLIAM CALLENDER,
JOSEPH FOX, JOSEPH HAMTON,
JAMES PEMBERTON, JOSEPH STRETCH."

The 4th Day of the Fourth Month, *called* April, 1755.

The Gentlemen appointed to wait upon the Governor with the Bill for preventing the Importation of *German* or other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel, *&c.* reported, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would appoint a Member of his Council, to join with a Member of the Houſe, in comparing the Bill for preventing the Exportation of Proviſions, *&c.* to the *French*, whenever the Houſe ſhould think proper.

A Petition from *Samuel Hazard*, of the City of *Philadelphia*, Merchant, was preſented to the Houſe and read, ſetting forth, that the Petitioner hath projected a Scheme for the Settlement of a New Colony to the Weſtward of this Province (a Copy of which is annexed to his Petition); that the Petitioner conceives ſuch a Settlement to be highly neceſſary for the Safety of this and all his Majeſty's Colonies in *North-America*, and would be of very great Advantage to the Trade of *Great-Britain*; and that as the carrying ſaid Scheme into Execution will unavoidably be attended with much Trouble, and a very great Expence, the Petitioner therefore prays, that this Houſe would be pleaſed to take the Premiſes into their Conſideration, and grant ſuch Aſſiſtance as to them ſhall ſeem meet.

Ordered to lie on the Table.

Ordered, That *Mahlon Kirkbride* be appointed to join with a Member of Council, to compare the Bill to prevent the Exportation of Proviſions, *&c.* to the *French*; and to wait upon the Governor, and deſire he would be pleaſed to appoint a Time to receive the Houſe, in order to enact the ſame into a Law.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 5. *Mahlon Kirkbride* reported, that he had, with a Member of Council, compared the engroſſed Bill with the Original, and found them to agree; and that the Governor was pleaſed to ſay, that he will receive the Houſe at Eleven o'Clock in the Council Chamber, in order to paſs the ſaid Bill into a Law.

Ordered, That *Evan Morgan* and *James Pemberton* ſee the Great Seal affixed to the Law, after it ſhall be paſſed, and the ſame depoſited in the Rolls Office.

An Addreſs, ſigned by fourteen Tanners of the City of *Philadelphia*, and *Germantown*, in Anſwer to the Petition of the Cordwainers of the ſaid City, was preſented to the Houſe and read, and follows in theſe Words, *viz.*

To the Honourable HOUSE of REPRESENTATIVES *of the Province of* Pennſylvania,

The ADDRESS *of the Tanners of the City of* Philadelphia, *and* Germantown.

Humbly ſheweth,

Tanners Addreſs. WE the Subſcribers thankfully acknowledge the Regard you have ſhewn us, in favouring us with a Copy of a Petition from the Cordwainers of ſaid City; wherein they groundleſsly complain of the Exportation of Leather out of this Province, to the Impoveriſhing of ſaid City in that Commodity, muſt of Conſequence be a manifeſt Miſtake, which, upon Examination amongſt ourſelves, we do find that for ſeveral Years paſt there hath little or no great Quantity of Leather been exported by any of the Subſcribers, or ſold for Exportation, but the greateſt Part of it is generally ſold to the People in the Country. And as for demanding very high Prices for our Leather, we had no Intention, until they, by raiſing the Price of giving more for *Carolina* Leather than our own, equally good or better, together with their other Conduct, induced us to raiſe the Price. And that as for engroſſing the Leather from foreign Parts imported here, we are in a Meaſure clear, until applied to by the Owner or Owners thereof: And it is, and has been, our conſtant Care to import and purchaſe Hides imported from foreign Parts, to the Amount of ſeveral Thouſands, within this Twelvemonths paſt, by giving an encouraging Price, for the Benefit of the Cordwainers and Commonalty of the Province of *Pennſylvania*: And ſeveral of the Cordwainers, ſubſcribed to the Petition preſented to the Honourable Houſe, have been, to our certain Knowledge, ſo over-ſtocked with Leather, that they have expoſed it to public Sale from Day to Day: And as their aſſuming the Office of Dictators, charging us in the Manner they do, in over-liming our Hides and Skins, to open the Pores to let in the Juice of the Bark, being directly oppoſite to our Intereſt, the Leather thereby weighing ſo much the lighter; and accuſing us with not ſcouring the Leather from the Dirt and yellow Stuff of the Tan; we are well aſſured, if they were acquainted with the Currying Buſineſs, they would

would confeſs and ſay with us, if Leather were not well ſcoured on the Grain, it would not take the Blacking; and uſing the Knife on the Fleſh Side, muſt of Conſequence clear them of more Dregs of the Bark than any ſcouring whatever. And as to their complaining of the Butchers in ſlaughtering, by cutting the Hides, being very diſadvantageous to the Cordwainers and Wearers of Shoes, we, as well as they, would be very glad to have Redreſs. And they ſay in their Petition, ſome of the Tanners ſell their Leather damp, which we the Subſcribers deny, and Leave the ſame on them to make appear: And as to the Diſadvantage of the Public being ſerved with bad Shoes, it proceeds from the Cordwainers buying the moſt of their Leather from Foreigners, or out of the Country, ſome of which is tanned by ſuch as never ſerved their Times to the Buſineſs, and thereby prove deficient in their Performances, as well as ſewing them careleſsly, and with bad Thread, for we generally find the Deficiency in that Part: Therefore, may it pleaſe this Honourable Houſe to take the ſeveral Matters before-mentioned into your Conſideration, and we the Subſcribers hereunto ſubmit the Whole entirely to your Diſcretion, as you in your Wiſdom ſhall ſeem meet, *&c.* 1755. *April* 5.

The 3d Day of the Fourth Month, 1755.

Ordered to lie on the Table.

A Petition from *John Daviſon* was preſented to the Houſe and read, ſetting forth, that the Petitioner was, about four Months ago, employed by the Governor to go as an Interpreter with two *Indians* to the *Six Nations*, in which Journey he was obliged to part with his Clothes (the Money he was furniſhed with not being ſufficient to bear his Charges); the Petitioner therefore prays that this Houſe will be pleaſed to grant him Relief in the Premiſes, and likewiſe allow him ſome Money to bear his Expences home.

Ordered to lie on the Table.

A Meſſage from the Governor, by the Secretary:

Mr. SPEAKER,

The Governor is now ready to receive the Houſe in the Council Chamber.

Then the Speaker, with the whole Houſe, waited on the Governor; and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act to prevent the Exportation of Proviſions, naval or warlike Stores, from this Province to* Cape-Breton, *or to any other the Dominions of the* French *King, or Places at preſent in Poſſeſſion of any of his Subjects*; to which the Governor was pleaſed to give his Aſſent, by enacting the ſame into a Law.

The Governor's Meſſage of the Firſt Inſtant, relating to *Indian* Affairs, and *George Croghan's* Account for Diſburſements, *&c.* were again read, aud conſidered; and, after ſome Time ſpent therein,

Ordered, That *Evan Morgan, Joſeph Fox, Joſeph Stretch, James Pemberton, Benjamin Franklin, William Callender* and *Joſeph Hamton* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage.

Reſolved, That the Sum of *Three Pounds* be allowed to *John Daviſon, Indian* Interpreter; and an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

Ordered, That *Calvin Cooper* and *Joſeph Armſtrong* have Leave to be abſent the Remainder of this Sitting, on urgent Buſineſs.

Ordered, That the Clerk do furniſh *Joſeph Armſtrong* with a Copy of *George Croghan's* Account, in order that the ſaid *Armſtrong* may make Enquiry concerning ſundry Charges contained therein, and inform the Houſe thereof.

Then the Houſe adjourned to next *Third-day*, at Three o'Clock, *P. M.*

Adjournment *April* 8.

The Houſe met according to their Adjournment. *Poſt Meridiem*

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I EXPECT Governor *Shirley* and Governor *De Lancey* in Town this Evening, in 'their Way to *Annapolis*, to meet General *Braddock*, Governor *Dinwiddie* and Gover-'nor *Sharpe*, whither I propoſe to accompany them. I imagine they will chuſe to go 'forward early To-morrow Morning, as the Affairs we are called together upon will 'admit of no Delay.

'I think it neceſſary to notify this to you, and recommend it to you to make a ſhort 'Adjournment, as it is very probable that I ſhall have ſeveral Matters to lay before you 'upon my Return.

April 8, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary alſo laid before the Houſe a Letter to the Governor from one *Spangenberg*, at *Bethlehem*, in this Province; and addreſſing himſelf to the Chair, ſaid,

SIR,

1755. *April* 8.

SIR,

" The Governor commands me to inform the Houſe, that the *Indians* expreſs much " Diſſatisfaction, and ſay their young Men are aſhamed to go naked through their " Brethrens Country, and ſhow themſelves among their People at *Aughwick* without " Clothes. He further recommends it to the Houſe, to ſend a careful Man with them " at leaſt one Day's Journey; and that they give to *Scarroyady* a ſufficient Sum to defray " their Expences in their Journey to *Aughwick*."

Reſolved, That the Sum of *Fifty Pounds* be now allowed to *George Croghan*, in Part of his Account, for Diſburſements among the *Indians* at *Aughwick*.

The Committee appointed to prepare a Draught of a Meſſage to the Governor, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment *April* 9.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Benjamin Franklin, Poſt-maſter General, reported to the Houſe, that he had conſidered the Propoſal of maintaining a regular Poſt from this City to *Winchester*, and is willing to undertake the ſame, and keep an Account of the Expences attending the Maintaining ſuch Poſt, and the Produce from the Letters conveyed thereby, and exhibit the ſame Account to the Aſſembly at the End of the Year, if the Houſe ſhall think fit to agree to make good the Deficiency, in caſe the Produce ſhould not prove equal to the Expence.

And the Houſe taking the ſaid Propoſal from *Benjamin Franklin* into Conſideration, unanimouſly agreed thereto, and ordered that all Letters ſent by the ſaid Poſt to and from the Army ſhould paſs free of all Charge.

Reſolved, That this Houſe will this Day adjourn to the Twelfth Day of next Month.

The Draught of the Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor.

AS the Seaſon of the Year is now favourable, and the Time when the *Indians* ought to plant their Corn, we hope the heavy Charges we have ſuſtained for ſupporting them through the Winter, are nearly over: Nevertheleſs, as we are unwilling to leave them entirely beyond our Notice, we are of Opinion, it may be adviſable to ſettle the *Indians* from *Aughwick*, and ſuch others as may continue to take Refuge among us, upon their own Lands at *French Town*, where there is, as our Interpreter informs us, a conſiderable Quantity of cleared Land, formerly an *Indian* Settlement.—Here they might plant their Corn, and hunt, towards their own Subſiſtence, and occaſionally apply to this Government for Help in Caſes of real Neceſſity. But as our Treaſury is exhauſted by the immediate Calls of the Crown, in Support of the *Britiſh* Intereſt in *North-America*, we are not able to aſſiſt them in the Manner we could wiſh and deſire; and what we can do muſt be conducted with Juſtice and Frugality.

The Governor has been pleaſed to recommend to us particularly " to make Proviſion " for the enſuing Treaty—and to enable him to take proper Notice of *Scarroyady*, and " the young Men he has brought along with him." We ſhall provide for this Chief, and the young Men, to their Satisfaction. But as this is the firſt time we have heard of the Treaty, and the Governor has not been pleaſed to lay before us the Neceſſity of ſuch a Treaty, or the Matters to be treated of when there, we preſume he will not expect any immediate Reſolves of this Houſe, till he ſhall be pleaſed to communicate ſuch further Information on that Head as he may judge neceſſary."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Griffith Owen* and *Joſeph Gibbons* wait upon the Governor with the ſame, and acquaint him with the propoſed Time of Adjournment.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he thought the propoſed Time of Adjournment was rather too long; but that he ſhould, if he found it neceſſary, call the Houſe ſooner.

An Order was drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of *John Harris's* Account, amounting to *Eighteen Pounds Ten Shillings* and *Nine-pence*, allowed by the Houſe at their laſt Sitting.

The Committee appointed to furniſh *Scarroyady*, and the *Indians* accompanying him, with Clothes, and other Neceſſaries, are directed to employ *George Hutchinſon*, who is now in this City on a Meſſage from *George Croghan*, to conduct the ſaid *Indians* over the *North-Mountain*.

Then the Houſe adjourned to the Twelfth Day of the *Fifth Month*, called *May*, next.

At

At the COUNCIL-CHAMBER, Whitehall, *the 29th Day of* October, 1748. 1755. *April* 9.

PRESENT,

Their Excellencies the Lords Justices,

Lord Chancellor, Lord Privy Seal, Duke of *Bedford*, *Henry Pelham*, Esq;
Lord President, Lord Chief Justice *Willes*,
Earl of *Harrington*, *George Dodington*, Esq;
Mr. Vice Chamberlain, *William Pitt*, Esq;

The Lords Justices Approbation of Eleven *Pennsylvania* Acts.

WHEREAS in Pursuance of the Powers granted to the Proprietaries of the Province of *Pennsylvania*, by Letters Patent, under the Great Seal, the Deputy Governor, Council and Assembly of the said Province, did, in 1744, 1745, 1746, and 1747, pass several Acts, which have been transmitted, Eleven whereof are entituled as follow, *viz.*

1. *An Act for the new Appointment of Trustees of the General Loan-Office of* Pennsylvania, *and for making current* Ten Thousand Pounds *in new Bills of Credit, to exchange such of those, now by Law current, as are torn and defaced*; passed the 26th of *May*, 1744.

2. *An Act for re-emitting and continuing the Loan of the Bills of Credit of this Province*; passed the 7th of *May*, 1745.

3. *An Act for granting* Five Thousand Pounds *to the King's Use out of the Bills of Credit now remaining in the Hands of the Trustees of the General Loan-Office, for exchanging torn and ragged Bills, and for striking the like Sum to replace in their Hands*; passed the 24th of *June*, 1746.

4. *An Act for the speedy Trial of Capital Offences, committed by any* Indian *or* Indians *in the remote Parts of the Province*; passed the 19th of *October*, 1744.

5. *An Act for erecting a House of Correction and a Work-house in the Borough of* Bristol, *in the County of* Bucks, *and for raising of Money on the Inhabitants of the said Borough for the Public Use and Benefit thereof*; passed the 7th of *March*, 1745.

6. *An Act for amending the several Acts for electing Members of Assembly*; passed the 7th of *March*, 1745.

7. *An Act for the more easy and speedy Recovery of small Debts*; passed the 7th of *March*, 1745.

8. *A Supplementary Act to the Act*, entituled, *An Act for preventing the Exportation of Bread and Flour not merchantable*; passed the 7th of *March*, 1745.

9. *An Act for the more effectual suppressing prophane Cursing and Swearing*; passed the 7th of *March*, 1745.

10. *A Supplement to the Act*, entituled, *An Act for erecting Houses of Correction and Work-houses in the respective Counties, and to the Act*, entituled, *An Act to enable* Jeremiah Langhorne, *&c. to build a Court-house in the County of* Bucks; passed the 7th of *March*, 1745.

11. *An Act for the Continuance of an Act*, entituled, *An Act for the better securing the City of* Philadelphia *from the Danger of Gun-powder*; passed the 8th of *May*, 1747.

Their Excellencies the Lords Justices this Day took the said Acts into Consideration, and having received the Opinion of the Lords Commissioners for Trade and Plantations, and also of a Committee of the Lords of his Majesty's most Honourable Privy Council thereupon, are hereby pleased to declare their Approbation of the said Acts: And pursuant to their Excellencies Pleasure thereupon expressed, the said Acts are hereby confirmed, finally enacted and ratified accordingly.——Whereof the Deputy Governor, Council and Assembly of the said Province, and all others whom it may concern, are to take Notice, and govern themselves accordingly.

W. SHARPE."

Adjournment *May* 12. *Post Meridiem*

THE House met pursuant to their Adjourment.

Ordered, That *Hugh Evans* and *Arthur Patterson* wait on the Governor, and acquaint him, that the House is met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

It being moved that the Clerk of this House would be necessarily absent for a few Days, his Absence was excused.

The House taking into Consideration the great Services done to the King's Forces, and to this Province, by *Benjamin Franklin*, a Member of this House, in his late Journey through *Maryland*, and our Back Counties, it was unanimously

Resolved, That the Thanks of this House be now given to the said Member for those Services.

Which was done by the Speaker accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *May* 13.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight,

1755. *May* 13. report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he had nothing at preſent to lay before the Houſe, except the *German* Bill.

Sundry Letters from the Agents were laid before the Houſe by the Committee of Correſpondence, and read, and conſidered.

Sundry Accounts of *Indian* Expences were laid before the Houſe and read, and referred to the Committee of Accounts.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

A Meſſage from the Governor, by the Secretary, *viz.*

S I R,

" The Governor orders me to lay before the Houſe the Minutes of what paſſed be-
" tween him and ſome *Saſquehanna Indians*, who came to viſit this Government ſince
" their Adjournment.

" And likewiſe the ſeveral Papers and Letters, relating to the Roads now opening
" from *Shippenſburg*, for the Uſe of his Majeſty's Forces."

The Papers accompanying the ſaid Meſſage were read, and the Draught of the Road now cutting from *Shippenſburg*, for the Uſe of his Majeſty's Forces, was ordered to lie on the Table for the Inſpection of the Members.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 14. An Order of *George Croghan's* on *Richard Peters*, Eſq; for *Forty-ſeven Pounds Five Shillings*, drawn in Favour of *Paul Pierce*, on Account of Goods for the *Indians* at *Aughwick*, was read, and referred to the Committee of Accounts.

Ordered, That the ſaid Committee report, in one Account, all the Expences made on the *Indians* lately in *Philadelphia*.

Ordered, That *Peter Dicks* and *James Burnſide* wait on the Governor, and deſire to know when the Houſe may expect his Reſult on the *German* Bill.

Ordered, That a Copy of the Vote of this Houſe, of the Twentieth of *December* laſt, appointing *Robert Charles*, Eſq; Joint-Agent with *Richard Patridge*, Eſq; be ſent Home, properly certified.

The Gentlemen return, and report, they had waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would ſend down the *German* Bill to the Houſe this Evening, or To-morrow Morning.

Ordered, That *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright* and *John Wright* be a Committee to prepare and lay before the Houſe, this Afternoon, the State of the Bills, and other Buſineſs, that is now in the Houſe unfiniſhed.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor ſent down the Bill for preventing the Importation of *German* and other Paſſengers, or Servants, in too great Numbers in any one Ship or Veſſel, *&c.* adhering to ſeveral of the Amendments and Alterations by him at firſt propoſed.

Ordered, That *Evan Morgan*, *Joſeph Fox*, *James Pemberton*, *Benjamin Franklin* and *William Callender* prepare a Draught of a Meſſage to the Governor, repreſenting the Inconveniences that will attend the Alteration propoſed in the ſaid Bill.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 15. Sundry Letters and Accounts of Expence in *Indian* Affairs, from *George Croghan*, were laid before the Houſe and read, and referred to the Committee of Accounts.

The Committee appointed to prepare a Draught of a Meſſage to the Governor on the *German* Bill, reported the ſame to the Houſe; and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Committee of Accounts reported on ſundry Accounts of *Indian* Expences, which were read, and ordered to lie on the Table.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem *Reſolved*, That this Houſe will To-morrow adjourn to the Firſt Day of *September* next.

The Meſſage to the Governor, being tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage from the Aſſembly to the Governor. UPON the Governor's Meſſage of the Twelfth of *December* laſt, recommending to us a Reviſion of the Laws now in being, relating to ſickly Veſſels and Paſſengers, and that we would make proper Proviſion for preventing the ill Effects that might ariſe from ſuch for the future, and as far as in our Power prevent the Spreading of any infectious Diſorder that might be introduced into this City and Province; we immediately prepared and ſent up a Bill, which we preſume would, in a great Meaſure, have anſwered that good Purpoſe, and at the ſame Time have left open to the fair Trader all the valuable Advantages which could accrue to the Province from ſuch Importations.

The grievous Calamities we were then threatened with; the melancholy Spectacle of the

the Distress of so many of our Fellow-Creatures, perishing for Want of Change of Apparel, Room and other Necessaries, on board their Ships, and after their being landed among us; the extreme Danger the Benevolent and the Charitable exposed themselves to in approaching those unhappy Sufferers; together with the Governor's own Recommendation, gave us Reason to hope, that he might be at Liberty, and that his own Inclinations would have induced him to have passed such a Bill as might prevent the like for the future: But we are under the greatest Concern, to find ourselves disappointed in these our reasonable Expectations. 1755. *May* 15.

By our Charters, and the Laws of this Province, the whole Legislative Power is vested in the Governor and the Representatives of the People; and as we know of no other Negative upon our Bills but what the Governor himself has, we could wish he had been pleased to have exercised his own Judgment upon this our Bill, without referring the Consideration of it to a Committee of his Council, most of them such, as we are informed, who are, or have lately been, concerned in the Importations, the Abuses of which this Bill was designed to regulate and redress.

The *German* Importations were at first, and for a considerable Time, of such as were Families of Substance, and industrious sober People, who constantly brought with them their Chests of Apparel, and other Necessaries for so long a Voyage; but these we apprehend have, for some Time past, been shipped on board other Vessels, in order to leave more Room for crowding their unhappy Passengers in greater Numbers, and to secure the Freights of such as might perish during the Voyage, which Experience has convinced us must be the Case of very many, where such Numbers (as have been lately imported in each Vessel) are crowded together without Change of Raiment, or any other Means of keeping themselves sweet and clean. But this Provision the Governor has been pleased to throw out of our Bill; and yet we think it so essentially necessary, that the Want of it must necessarily poison the Air those unhappy Passengers breathe on Shipboard, and spread it wherever they land, to infect the Country which receives them; especially as the Governor has likewise altered the Provision we had made by the Advice of the Physicians, for accommodating them with more Room and Air upon their Arrival here.

We have Reason to believe, the Importations of *Germans* have been for some Time composed of a great Mixture of the Refuse of their People, and that the very Goals have contributed to the Supplies we are burdened with: But as there are many of more Substance and better Character, we thought it reasonable to hinder the Importer from obliging such as had no Connections with one another to become jointly bound for their respective Freights or Passages; but the Governor has thought fit to alter this also in such a Manner as to elude the good Purposes intended by the Act; by which Means, those who are of more Substance are involved in the Contracts and Debts of others, and the Merchant secured at the Expence of the Country, where they are necessitated, and do become very frequently common Beggars from Door to Door, to the great Injury of the Inhabitants, and the Increase and Propagation of the Distempers they have brought among us.

Many who have indented themselves for the Payment of their Passages, have frequently been afflicted with such secret and loathsome Diseases at the Time, as have rendered them altogether unfit for the Services they had contracted to perform, for which we had provided a Remedy by the Bill; but the Governor has thought fit to strike it out, and leave us exposed to this grievous Imposition without a Remedy.

As we are situated between two neighbouring Governments, not subject to our Laws, we had provided against landing such Importations as were designed for this Colony, either in *New-Jersey* or the Three Lower Counties, merely to elude the Force of our Law, and to introduce them from either of these into this Province; but the Governor has also rejected the Provision we had made on this Head, as we apprehend, to the utter Subversion of any Provision we can make to regulate this Trade.

From these, and many other Alterations which the Governor, after having had the Bill repeatedly under his Consideration, is pleased to adhere to, we are of Opinion, that should we assent to the Bill as it comes down from the Governor, we should be more exposed to the Abuses and Grievances it was intended to redress, than we are at present by the Laws now in being, if duly executed: We therefore are under the Necessity of leaving all the ill Consequences which may attend the Refusal of passing our Bill upon the Governor himself; and do earnestly recommend them to his most serious Consideration."

And the Message being signed by the Speaker, by Order of the House,

Ordered, That *Evan Morgan* and *Joseph Stretch* do wait upon the Governor, and deliver the same, and acquaint him, that the House is inclined to adjourn To-morrow to the First of *September* next, if the Governor hath no Objection to that Time.

The Gentlemen return, and report, that they delivered the Message of the House, and acquainted the Governor with the proposed Time of Adjournment, according to Order;

1755. *May* 15. Order; and that the Governor was pleaſed to ſay, he would conſider the Meſſage, and if any Thing therein, or any other Matter occurred that might require their longer Stay, he would acquaint the Houſe in the Morning.

Reſolved, That the Expence of making the new Roads, now cutting through *Cumberland* County to *Wills's-Creek* and *Mohongahela*, ſhall be defrayed by this Aſſembly.

Adjournment *May* 16. Then the Houſe adjourned to Ten o'Clock To-Morrow Morning.

An Account of *Thomas Jervis*, for Expences on *Indians*, and going Expreſs to *Carliſle*, was read, and referred to the Committee of Accounts.

The Governor ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'WHEN I ſummoned you together on the Seventeenth of *March* laſt, I was in 'Hopes you would bring with you Inclinations to promote the Public Service, 'by granting the Supplies expected by the Crown, and by putting this Province into a 'Poſture of Defence; but I am ſorry to find, that neither the Danger to which this 'Country ſtands expoſed, nor his Majeſty's repeated and affectionate Calls, have had 'any Weight with you.

'The Bill you ſent me for ſtriking *Twenty-five Thouſand Pounds* was of a more ex'traordinary Nature than that I refuſed my Aſſent to in the Winter Seſſions, as it gave 'General *Braddock* a Power over no more than *Five Thouſand Pounds*, and ſubjected the 'remaining *Twenty Thouſand*, and all the Surplus of the Exciſe, for eleven Years to 'come, to the Diſpoſition of ſome of the Members of your Houſe, and to the Aſſembly 'for the Time being.

'The offering Money in a Way, and upon Terms that you very well knew I could 'not, conſiſtent with my Duty to the Crown, conſent to, is, in my Opinion, trifling 'with the King's Commands, and amounts to a Refuſal to give at all; and I am ſatis'fied will be ſeen in this Light by my Superiors; who, by your Bill abovementioned, 'which I ſhall lay before them, and by the Whole of your Conduct ſince you have been 'made acquainted with the Deſigns of the *French*, will be convinced, that your Re'ſolutions are, and have been, to take Advantage of your Country's Danger, to aggran'dize and render permanent your own Power and Authority, and to deſtroy that of the 'Crown. That it is for this Purpoſe, and to promote your Scheme of future Indepen'dency, you are graſping at the Diſpoſition of all Public Money, and at the Power of 'filling all the Offices of Government, eſpecially thoſe of the Revenue; and when his 'Majeſty and the Nation are at the Expence of ſending Troops for the Protection of 'theſe Colonies, you refuſe to furniſh them with Proviſions and neceſſary Carriages, 'though your Country is full of both; unleſs you can, at the ſame Time, encroach upon 'the Rights of the Crown, and encreaſe your own Power, already too great for a Branch 'of a ſubordinate dependant Government, ſo remote from the principal Seat of Power.

'You have, Gentlemen, by a Vote of your own Houſe, without the Conſent of the 'Government, empowered a Committee of your Members to borrow Money upon the 'Credit of the Aſſembly, and to diſpoſe of the ſame to certain Uſes in that Vote men'tioned.—You have alſo, by Votes and Reſolves of your own Houſe, created Bills or 'Notes of Credit, made payable to the Bearers thereof, to the Amount of *Fifteen Thou'ſand Pounds*, which you have iſſued in Lieu of Money, and they are now circulating 'in this Province, without the Approbation of the Government.—You have denied me 'Acceſs to your Journals, and refuſed me Copies of your Minutes. — And you have 'printed and publiſhed the Secretary of State's Letters to me, ſignifying his Majeſty's 'Commands, not only without my Conſent, but contrary to an Order I had iſſued to 'the Printers, expreſsly forbidding the Publication of thoſe Letters.

'Whether you have a Right to the Exerciſe of ſuch extraordinary Powers, his Ma'jeſty and his Miniſters will judge, before whom it is my Duty to lay your Proceedings 'as ſoon as I can come at them, and to whom they will appear the more dangerous, as 'neither they nor you can know but a future Aſſembly may uſe thoſe Powers againſt 'the Government by which they are protected.

'While I had any the moſt diſtant Hopes of your coming into Meaſures that might 'promote the Public Service at this critical Conjuncture, I ſuffered ſome Parts of your 'Conduct to remain unobſerved upon; but as I am now convinced, from the whole 'Tenor of your Behaviour, and from your Meſſage of Yeſterday, notifying your Inten'tions to adjourn till *September* next, without granting the neceſſary Supplies, that you 'have no Deſign to contribute any Thing towards the Defence of this Country, I thought 'it right to be no longer ſilent upon thoſe Heads.

'*Gentlemen*, when the Bill to prevent the Importation of the *Germans*, &c. was under 'my Conſideration, I took ſuch Advice upon it, and made ſuch Amendments to it, as 'I thought would beſt anſwer the Public Purpoſes, and put that Trade upon ſuch a 'Footing as to prevent the many Abuſes that had been practiſed in it, and at the ſame

,, Time

1755. *May* 16.

'Time ſecure this City and Province againſt the coming in and ſpreading of infectious 'Diſtempers.—How far the Bill as propoſed by you, or amended by me, would, or 'would not, have anſwered thoſe Ends, was a Matter proper to be conſidered at a Con-'ference, which you might have deſired if you had thought proper, as it is the only 'Means of bringing a Bill to Perfection, when the Branches of the Legiſlature differ in 'Opinion concerning any Amendments propoſed to it; but inſtead thereof, you have 'ſent me a Meſſage filled with unjuſt Reflections upon the Amendments propoſed by 'me, and plainly deſigned to repreſent me, as having no Regard for the Health or 'Safety of the Inhabitants of this Country; in doing which, I cannot think you have 'paid a proper Regard to Truth.—However, as it is not my Intention to enter into a 'Controverſy with you upon that Bill, which might have been agreed upon between 'us, had the uſual Method of proceeding in ſuch Caſes been purſued by you, I ſhall 'ſay nothing more upon the Head, eſpecially as this Matter ſeems purpoſely choſen 'to lead me and the Public from conſidering that Part of your Conduct that muſt, in 'in its Conſequences, moſt nearly affect the Inhabitants of this Province.

May 16, 1755. *ROBERT HUNTER MORRIS.*"

And the Houſe taking the foregoing Meſſage into Conſideration,

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *Arthur Patterſon*, *John Wright* and *James Burnſide* be a Committee to prepare a Draught of an Anſwer to the ſame, and report it to the Houſe To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of Yeſterday, reported the ſame to the Houſe; and it was read, approved, and ordered to be tranſcribed againſt the Afternoon. *May* 17.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Two Draughts of *George Croghan* on *Richard Peters*, Eſq; in Favour of *John* and *William Madole*, amounting to *One Hundred* and *Thirty-two Pounds*, being allowed by the Houſe, an Order was drawn on the Treaſurer for the Payment thereof, and ſigned by the Speaker, by Order of the Houſe. *Poſt Meridiem*

Orders were likewiſe drawn for the Payment of the following *Indian* Expences, *viz.*

	£	s	d
To *John Ferguſon*,	2	7	6
For an Order of *George Croghan's*, in Favour of *Paul Pierce*,	47	5	0
To *George Hutchinſon* (allowed in *April* laſt)	55	0	0
To *David Magaw*,	30	0	0
To *Thomas Jervis*,	5	14	11
To *William Callender*,	63	9	9½
To *Richard Peters*, Eſq;	104	1	6

The Meſſage to the Governor being tranſcribed, it was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

WHEN we met, in Obedience to the Governor's Summons, on the 17th of *March* laſt, we really brought with us the ſincereſt Inclinations to promote the Public Service, by granting the Supplies expected by the Crown; and we truſt it will appear to all who impartially examine the Proceedings of that Seſſion, that we did every Thing in our Power, as our Affairs were then circumſtanced; and conſequently that the Danger to which this Country ſtood expoſed, and his Majeſty's repeated and affectionate Calls, had great Weight with us, whatever they had with the Governor.

The Bill we ſent up, for ſtriking the Sum of *Twenty-five Thouſand Pounds*, and giving the ſame to the King's Uſe, and for providing a Fund to ſink it, had nothing extraordinary in its Nature, or differing from other Bills heretofore paſſed or preſented for like Purpoſes in this Province, excepting that the Sum given was extraordinary, compared with the Time propoſed for ſinking it; the Sum for the *Canada* Expedition, in the laſt War, being but *Five Thouſand Pounds*, to be ſunk in Ten Years, and this Sum, though five Times greater, was to be ſunk by the ſame Fund, in the ſame Number of Years. In the Bill *Five Thouſand Pounds* of the Sum was appropriated to pay for Proviſions bought and given for the Uſe of the Forces in *Virginia*, under General *Braddock*; *Ten Thouſand Pounds* more was given to buy Proviſions for the *New-England* Forces under his Command; *Five Thouſand Pounds* more was ſubjected to his Order, and to be diſpoſed of for the King's Service as he ſhould think fit; and the remaining *Five Thouſand Pounds* was appropriated for the Subſiſtence of *Indians* taking Refuge in this Province, Payment of Poſts or Expreſſes, Hire of Carriages, Clearing of Roads, and other neceſſary contingent Expences for the King's Service, as might be incumbent on this Government to diſcharge.—Thus the whole *Twenty-five Thouſand Pounds* was appropriated to the King's Service; and almoſt all of it to the immediate Uſe of General *Braddock*, or to ſuch Purpoſes as were by him eſpecially recommended in his Letters, laid before the Houſe by the Governor. The Members of the Houſe, mentioned by the Governor, were to have no Share in the Diſpoſition of it; it was diſpoſed of by the Bill, and they could only

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have the Trouble of laying it out according to the Appropriation, and keeping the Accounts. This is Truth, and well known to the Governor, if he peruſed our Bill with any Degree of Attention: Yet how differently is it repreſented in the Governor's Meſſage! It is called only, "*A Bill for ſtriking Twenty-five Thouſand Pounds*;" which is but a Part of the Title, the Words, "*and for giving the ſame for the King's Uſe*," being (as it would ſeem) carefully omitted, leſt they might militate againſt the Aſſertion which immediately follows, that "*Twenty Thouſand Pounds* of it was ſubjected to the Diſpoſition of ſome Members of the Houſe, and of the Aſſembly for the Time being." Then it is ſaid, "It gave General *Braddock* a Power over no more than *Five Thouſand* "*Pounds*," becauſe it gave him a Power to draw for, and appropriate as he pleaſed, no more than that Sum, though all the *Twenty-five Thouſand Pounds* (except a ſmall Part for the Support of *Indian* Refugees, which is likewiſe for the King's Service) was appropriated for his, and his Army's Uſe, or Services by him required; and we cannot learn that any other Colony beſides, hath given, or offered to give, that Gentlemen a Power over as many Pence. Great Subtilty and Dexterity appear in this Manner of diſguiſing Truths, and changing Appearances, but we ſee in it very little Candour or Ingenuity.

In the next Paragraph of the Governor's Meſſage, there are many Aſſertions in which we think we are equally miſrepreſented; we are charged with "offering Money in a "Way and upon Terms which we knew the Governor could not, conſiſtent with his "Duty to the Crown, conſent to." We really thought, and ſtill think, it was inconſiſtent with his Duty to the Crown to refuſe it: If we are miſtaken, 'tis an Error in Judgment; we have appealed to our gracious King on this Head, and we hope for a favourable Determination.——We are charged with "trifling with the King's Commands, "and *refuſing to give at all*," though we have actually given great Sums in Obedience to thoſe Commands, and earneſtly endeavoured to give much greater, which the Governor refuſed, unleſs we would give in a Manner which we think inconſiſtent with our preſent juſt Liberties and Privileges, held under the Royal Charter.——We are charged with "reſolving to aggrandize our own Power, and deſtroy that of the Crown:" A Charge, as we conceive, utterly groundleſs, and for which we have never given the leaſt Foundation.——We are charged with a "Scheme of Independency." We have no ſuch Scheme, nor ever had; nor do we, as a Part of the Legiſlature, deſire any Independency but what the Conſtitution authorizes, which gives us a Right to judge for ourſelves and our Conſtituents of the Utility and Propriety of Laws, or Modes of Laws, about to be made; and does not yet, and we confide never will, oblige us to make Laws by Direction.——We are charged with graſping at the Diſpoſition of all public Money, and at the Power of filling all the Offices of Government; a Charge, as we conceive, equally groundleſs and invidious: We have, by Law, a Right to diſpoſe of ſome public Money, and we cannot be properly ſaid to *graſp at* what we are in Poſſeſſion of: That Part of the public Money which the Governor receives, ariſing by Licences, *&c.* great as it is, he diſpoſes of as he pleaſes, and we have never attempted to interfere in it; nor can one Inſtance be given of our attempting to fill any Office, which we are not by ſome expreſs Law impowered to fill.—But the heavieſt Charge of this Paragraph concludes it; the Governor is pleaſed to ſay, "When his Majeſty and the Nation are at the Ex"pence of ſending Troops for the Protection of theſe Colonies, *you refuſe to furniſh them* "*with Proviſions and neceſſary Carriages*, though your Country is full of both; unleſs "you can at the ſame Time encroach upon the Rights of the Crown." This Charge is really amazing! It requires, however, no other Anſwer, than a ſimple Relation of Fact. In the ſame Seſſion, and as ſoon as it appeared there was no Hope of obtaining the Bill for giving *Twenty Thouſand Pounds* to the King's Uſe, and many Weeks before the Forces arrived, we voted and gave *Five Thouſand Pounds* to purchaſe Proviſions and other Neceſſaries for thoſe Forces; theſe Proviſions were accordingly bought, and are ſent to *Virginia*, being the full Quantity required of us: We have ſince given *Ten Thouſand Pounds* to purchaſe Proviſions for the *New-England* Forces; it was given as ſoon as requeſted, and before the Troops were raiſed; thoſe Proviſions are moſt of them actually purchaſed, great Part ſent away, and all will probably be at the Place appointed before they are wanted.—We gave not a Pound of Proviſion leſs than was aſked of us, and all the Carriages required of us have been furniſhed.—This has been done with the greateſt Readineſs and Alacrity, and done, we conceive, without the leaſt Encroachment on the Rights of the Crown, unleſs "borrowing Money on our own Credit" (which we thought even every private Man had a Right to do, if he had any Credit) be indeed ſuch an Encroachment.

Indeed the next Paragraph begins with charging this upon us as a Crime, "You have, [the Governor is pleaſed to ſay] "by a Vote of your own Houſe, without the Conſent "of the Government, impowered a Committee of your Members to borrow Money "upon the Credit of the Aſſembly, and to diſpoſe of the ſame to *certain Uſes* in that "Vote mentioned." By this Caution in expreſſing the Uſes, a Stranger might imagine, that they were wicked, if not treaſonable Uſes; and that the Governor, out of mere

Tenderneſs

Tenderneſs for his People, forbore to explain them: But the Uſes mentioned in the Votes, are, *to purchaſe freſh Victuals, and other Neceſſaries, for the Uſe of the King's Troops at their Arrival*; and to *purchaſe and tranſport Proviſions, requeſted by the Government of the* Maſſachuſetts-Bay, *to victual the Forces about to march for ſecuring his Majeſty's Territories.* Theſe are the Uſes, in the Votes mentioned, and the only Uſes; and we can conceive no Reaſon for touching them ſo gently by the Name of *certain Uſes*, unleſs the Governor thought, that being more explicit on the Uſes, might ſeem to leſſen, in ſome Degree, the heinous Crime of *borrowing Money on our own Credit.* 1755. May 17.

The Governor is pleaſed to add, "You have alſo, by Votes and Reſolves of your own "Houſe, created Bills, or Notes of Credit, made payable to the Bearers thereof, to the "Amount of *Fifteen Thouſand Pounds*, which you have iſſued in Lieu of Money, and "they are now circulating in this Province, without the Approbation of the Govern-"ment." This Charge, we preſume, will, like the reſt, vaniſh on a little Explanation. By the Laws of this Province now in Force, and which have received the Royal Aſſent, the Diſpoſition of the Intereſt-Money, and Exciſe, is veſted in the Aſſembly for the Time being: Out of this Revenue the Aſſemblies have, from Time to Time, defrayed the Charges of Government. The conſtant Method of Payment was always this; when an Account againſt the Public was allowed, or any Expence for public Service agreed to, an Order iſſued, drawn on the Treaſurer, or Truſtees of the Loan-Office, and ſigned by the Speaker, or the Clerk, by Order of the Houſe. As theſe Orders were generally paid on Sight, they naturally obtained ſome Credit, and ſometimes paſſed through ſeveral Hands before Payment was demanded. ——— At the laſt Settlement of the Public Accounts, it appeared, that a conſiderable Sum of this Intereſt and Exciſe-Money, over which the Aſſembly alone had a legal Power, ought to be in the Hands of the Treaſurer and Truſtees. The Governor himſelf was pleaſed to point this Money out to us, to compute the Sum, and urge the Houſe to make Uſe of it, when in *January* laſt he refuſed their Bill for giving *Twenty-five Thouſand Pounds* to the King's Uſe. The Houſe alledged, and truly, that the Money was outſtanding in many Hands, and could not ſuddenly be collected, without diſtreſſing and ruining the People. However, on the Credit of this Fund, we voted the firſt *Five Thouſand Pounds* for Proviſions, and ordered the Money to be borrowed on Intereſt. And at the laſt Sitting, when the Governor refuſed to paſs our Bill for giving *Twenty-five Thouſand Pounds* to the King's Uſe, he may be pleaſed to remember, that he ſent us down a Meſſage, in which, after the Reaſon given for not paſſing the Bill, there are theſe Words: "As this is a Time of imminent Danger, and the Forces, raiſed and deſtined "for the Service of the Colonies, muſt wait the Supplies from this Province, I again "intreat you to fall upon *ſome other Method* of raiſing Money, that we may not loſe this "happy Opportunity of recovering his Majeſty's Dominions now invaded by the *French* "King." The Houſe accordingly fell on *this other Method*; they gave *Ten Thouſand Pounds* of the Money in their Power to the King's Uſe; they appointed a Committee to purchaſe the Proviſions required, and impowered them to draw for the Sum on the Treaſurer or Truſtees of the Loan-Office, as had been uſual; with this only Difference, that as former Draughts were payable on Sight, and therefore bore no Intereſt, theſe being payable in a Year, were to bear Intereſt; and in the mean Time the outſtanding Money was ordered to be got in, that the Draughts might be punctually diſcharged. Moneyed Men, knowing the Goodneſs of the Fund, and confiding in the Juſtice and Punctuality of the Aſſembly, which has always honourably diſcharged the Public Debts, have voluntarily furniſhed the Committee with Caſh for theſe Draughts, which they have laid by in their Cheſts to receive in Time the Intereſt. Thus the King's Forces have been expeditiouſly ſupplied, the People have Time to pay off their Debts to the Public, and no one is oppreſſed, diſtreſſed or injured; nor is any Encroachment made on the Powers of Government, or any Thing done that has not been uſual, or which the Aſſembly are not by Law impowered to do.—Yet this is what the Governor repreſents as "*creating* "*Bills of Credit, and iſſuing them in Lieu of Money, without the Approbation of the Go-*"*vernment*;" by which, Perſons unacquainted with the Fact, might underſtand we had been making Paper-Money, and iſſuing it on Loan, or in ſome other Manner, to produce an Advantage to ourſelves, and attempted to make it a legal Tender without the Governor's Aſſent, *&c.* all which is mere Miſrepreſentation or Miſapprehenſion, as will appear by the Reſolves themſelves, to which we beg Leave to refer. After this Explanation of our Conduct, we believe it will clearly appear, that the Governor's Inſinuation, as if we had uſed Powers dangerous to the Government, is as groundleſs as it is unkind.

The other Charges, of "denying the Governor Acceſs to our Journals, and printing "the Secretary of State's Letters," having been made and anſwered in former Meſſages between the Governor and the Houſe, we think it unneceſſary to take any further Notice of them here.——But we are ſurpriſed to find, that after having effectually given *Fifteen Thouſand Pounds*, in Proviſions and other Neceſſaries for the King's Forces, maintained

1755. *May* 17. maintained at ſo great an Expence our *Indian* Allies, eſtabliſhed a conſtant regular Poſt through Two Hundred Miles of Country, merely for the Service of the Army, and advanced a conſiderable Sum to make a long and chargeable Road through the Wilderneſs and Mountains to the *Ohio*, for the Uſe of the King's Forces, the whole Expence of which we have engaged to defray, we ſhould ſtill be flatly told by the Governor, "That "he is convinced, from the *whole Tenor of our Behaviour*, that we have no Deſign *to* "*contribute any Thing* towards the Defence of this Country."

The Governor is pleaſed further to cenſure us, for not deſiring a Conference on the Bill to prevent the Importation of *Germans*, or other Paſſengers, in too great Numbers in one Ship or Veſſel, and to prevent the ſpreading of contagious Diſtempers, *&c.* We own that it is ſometimes practiſed, when the Governor and Aſſembly differ in Judgment concerning a Bill, to requeſt a Conference, if there be any Hope by ſuch a Conference to obtain an Agreement; but we being, from many Circumſtances attending the Bill, without ſuch Hope at preſent, contented ourſelves with laying before the Governor, in a Meſſage, our Reaſons for not agreeing to his propoſed Amendments, and ſubmitted thoſe Reaſons to his Conſideration; the Bill may ſtill be reſumed, and a Conference entered into at a future Seſſion, if there ſhould be any Proſpect of Succeſs.——If our Proceeding was irregular, which we think it was not, the Governor may be pleaſed to remember, he himſelf ſet us a more irregular Example at our laſt Sitting, when we preſented him the Bill for granting *Twenty-five Thouſand Pounds* to the King's Uſe; for he neither propoſed any Amendment, nor deſired any Conference, nor would return us our Bill (when we expreſsly ſent for it to be re-conſidered) according to the conſtant Cuſtom in this Government, but only acquainted us, that "it being a Bill of a very extraordinary Nature, "he would ſend it Home to the Miniſtry," which we hope he has accordingly done, as we believe it will be found, however the Governor may have miſapprehended it, to have nothing extraordinary in its Nature, or inconſiſtent with our Duty to the Crown, or aſſuming more than our juſt Rights and Privileges.

On the Whole, while we find the Governor transforming our beſt Actions into Crimes, and endeavouring to render the Inhabitants of *Pennſylvania* odious to our gracious Sovereign and his Miniſters, to the *Britiſh* Nation, to all the neighbouring Colonies, and to the Army that is come to protect us, we cannot look upon him as a Friend to this Country. We are plain People, unpractiſed in the Sleights and Artifices of Controverſy, and have no Joy in Diſputation. We wiſh the Governor the ſame Diſpoſition; and when he ſhall, as we hope he will, on better Conſideration, alter his Conduct towards us, and thereby convince us that he means well to the Province, we may then be able to tranſact the Public Buſineſs together with Comfort both to him and ourſelves; of which till then we have ſmall Expectation."

And the Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Fox* and *William Callender* wait upon the Governor, and deliver the ſame.

Ordered, That the Minutes be, with all convenient Speed, reviſed and printed; and that the Meſſages of this Seſſion, and the laſt, be forthwith printed in the *Gazette*.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Meſſage of the Houſe, according to Order.

Adjournment. Then the Houſe adjourned to the *Firſt Day* of *September* next.

June 13. *Poſt Meridiem*. THE Repreſentatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe met accordingly.

Ordered, That *Mahlon Kirkbride* and *George Aſhbridge* wait upon the Governor, and acquaint him, that the Houſe are met, and ready to receive any Thing he may have to lay before them, and deſire he would be pleaſed to furniſh them with a Copy of the Writs by which they were ſummoned.

William Franklin, Clerk to this Houſe, informed the Houſe, that he had by Order of the Committee of Correſpondence waited upon the Governor to obtain a Warrant for the Affixing the Great Seal to a Copy of the Minutes of the ſeveral Sittings of the preſent Aſſembly, and to a Copy of the Bill for granting *Twenty Thouſand Pounds* to the King's Uſe, paſſed by the Houſe on the Twelfth of *December* laſt (which Copies the Clerk had certified to be juſtly and truly taken from the Journals of this Houſe) to be tranſmitted Home to our Agents in *England*; and that the Governor was pleaſed to ſay, that it was not made known to him that the ſaid *William Franklin* was choſen Clerk of Aſſembly, and had a Right to certify the Proceedings of the Houſe, but if the Houſe would certify that he was choſen and appointed by them to that Office, he, the Governor, would then certify under the Great Seal of the Province, that he had received ſuch Certificate from the Houſe.———Whereupon it was

Ordered, That a Copy of the Minute of this Houſe, appointing the ſaid *William Franklin*, Clerk of Aſſembly, be certified under the Hand of the Speaker, and that the Clerk

Clerk do wait upon the Governor with the ſame, and deſire that he would be now pleaſed to cauſe the Great Seal to be affixed to the before-mentioned Copies. 1755. *June* 13.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe To-morrow Morning, and a Copy of the Writs by which the Houſe were ſummoned.

The Speaker laid before the Houſe the Lords Juſtices Approbation of Eleven Acts of Aſſembly of this Province, paſſed in the Years 1744, 1745, 1746, and 1747, among which ſaid approved Acts is the Act paſſed by Governor *Thomas* (after he had received the Royal Inſtruction relating to Paper Money Acts) entituled, *An Act for granting* Five Thouſand Pounds *to the King's Uſe out of the Bills of Credit now remaining in the Hands of the Truſtees of the General Loan-Office, for exchanging torn and ragged Bills, and for ſtriking the like Sum to replace in their Hands.*

And the ſaid Approbation was read, and ordered to be printed with the Minutes of the laſt Sitting of Aſſembly, now in the Preſs.

Sundry Letters from Sir *Peter Halkett* and Colonel *Dunbar* to *Benjamin Franklin*, one of the Members of this Houſe, acknowledging the Receipt of the Preſents ſent by this Houſe to their reſpective Regiments, and returning their Thanks to the Houſe for the ſame, were laid before the Houſe, and read.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.* *June* 14.

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'GENERAL *Braddock*, who has begun his March towards *Fort Duqueſne*, has repreſented to me, that in caſe his Majeſty's Arms under his immediate Command 'ſhould prove ſucceſsful, and he ſhould take that Fort in its preſent Condition he will 'make what Additions to it he may think neceſſary, and in it leave the Guns, Ammunition and Stores belonging to the Fort, with a proper Garriſon. —— But if the '*French* ſhould abandon and deſtroy the Fortifications, with the Guns and Stores, as he 'has Reaſon to apprehend, he will in that Caſe repair or conſtruct ſome Place of Defence, in which he will likewiſe leave a Garriſon.

'But as the Artillery and Stores he has with him will be abſolutely neceſſary in the 'Proſecution of his Plan, he is determined to leave none of them behind him, and ex'pects that the neceſſary Cannon, Ammunition and Stores, as alſo Proviſions for the 'Garriſon, ſhould be ſupplied by the Governments of *Virginia*, *Maryland* and *Pennſyl'vania*; and that he may not be delayed in his Operations, he deſires theſe Things may 'be immediately ſent up to him under proper Convoys.

'He has lately received Intelligence, that the *French*, with their *Indians*, intend as 'ſoon as the Army is far advanced to fall upon the Back Country and deſtroy the Inhabi'tants, and this, though he thinks it a Bravado, he communicates to me, that I may 'take all poſſible Precautions to prevent it.——Upon this Application and Intelligence 'from the General, I have called you together, and muſt recommend it to you to enable 'me to furniſh ſuch Part of the Things demanded by the General as is proper for this 'Province, and to conduct them in Safety to the Places where they will be wanted, 'which cannot well be done without a ſtrong Guard.——I muſt alſo recommend it to 'you, Gentlemen, either by eſtabliſhing a Militia, or otherwiſe, to enable me to pro'tect the Inhabitants of the Back Country againſt the Incurſions of the *French* and their '*Indians*.

'Immediately upon receiving the General's Letter, demanding Cannon and Stores, 'I wrote to the Governors of *Virginia* and *Maryland*, to know what Stores of that Kind 'they had, and what Part their Governments would reſpectively take in that Supply; 'and informed them at the ſame Time, that I had ſummoned you to meet, and till you 'were aſſembled could not ſay what I ſhould be enabled to do in that Matter.

'I need mention no other Arguments to induce you to grant the neceſſary Supply, 'than that *Fort Duqueſne* is within this Province, and that the great Expence the Na'tion is at on this Occaſion will be thrown away, his Majeſty's Intentions rendered 'abortive, and his Arms diſhonoured, if the Countries General *Braddock* ſhall recover, 'are, through the Neglect of the Colonies, left in ſuch a naked Condition, that the '*French* may take Poſſeſſion of them again as ſoon as the Army is withdrawn.

'The Difficulty that has attended the procuring Carriages for the Uſe of the Army, 'and for tranſporting Proviſions and other Things to the Camp, makes it neceſſary to 'regulate by a Law the Wages or Hire of Waggons, Horſes and Men; as alſo the Price 'of Proviſions that may be wanted for the Uſe of the Troops now employed in our De'fence, that his Majeſty's Service may be carried on at a reaſonable and moderate Ex'pence, and private Men not left at Liberty to impoſe upon the Public; I therefore 'recommend this Matter to your Conſideration.

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'Knowing how neceſſary your Preſence is in the Country at this buſy Seaſon of the 'Year, I would not have called you together if I could have diſpenſed with it. I ſhall 'on my Part expedite Buſineſs all I can, and muſt deſire you will not enter on any Mat- 'ters upon which we have already differed in Opinion, as it will only ſerve to conſume 'our Time without anſwering any valuable Purpoſes.

Philadelphia, June 14, 1755. *ROBERT HUNTER MORRIS.*"

A Copy of the Writs by which the Houſe were ſummoned was alſo laid before the Houſe by the Secretary, and read.

Ordered, That *William Callender* and *James Burnſide* wait upon the Governor, and acquaint him, that as he has in his Meſſage referred to a Letter from General *Braddock*, as the Ground for his calling the Houſe together at this Time, the Houſe therefore deſire he would be pleaſed to communicate the ſaid Letter to them for their Conſideration.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that General *Braddock's* Letter contained many Matters which were not proper to be made public, and therefore he did not think it ſafe to lay the ſaid Letter before the Houſe, unleſs the Houſe would previouſly aſſure him that they would not cauſe it to be printed; however, as he was not for concealing from the Houſe any Papers that might be of Service, he was willing to ſhow the ſaid Letter to a Committee of the Houſe, if the Houſe ſhould think proper to appoint one for that Purpoſe.

And the Houſe taking the ſame into Conſideration,

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *William Callender* and *James Burnſide* be a Committee to prepare a Draught of a Meſſage to the Governor thereupon.

Adjournment *June* 16.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

Poſt Meridiem

The Houſe met according to their Adjournment.

The Committee appointed to prepare a Draught of a Meſſage to the Governor, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor; which being accordingly done, it was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

IT has always been the Cuſtom in this Province, when the Aſſemblies have been called by our Governors on Occaſion of Letters received, to communicate ſuch Letters to the Houſe for their Conſideration.

To give a Committee of the Houſe a Sight of ſuch Letters, does not ſeem to us ſufficient; for if the Letters are to be the Foundation of any important Step to be taken by the Aſſembly, we think they ſhould lie before the Houſe, to be read as often as is neceſſary to a thorough Underſtanding of the Matters they contain or require.

We know not what Aſſurances the Governor expects us to give, that the General's Letter ſhall not be printed, nor what will be ſatisfactory; nor are we inclined to give any Aſſurances of the Kind, till we ſee the Letter; nor do we think any previous Aſſurances neceſſary, being certain that the Prudence of the Houſe will be ſufficient to prevent the Publication of any Thing that is unfit for the Public View.

And ſince the Importance of the Contents of that Letter is given by the Governor as the Reaſon of his haſty calling us together at this unſeaſonable Time of the Year, and as we cannot take the Letter into Conſideration without ſeeing it, we hope he will not, by ſtarting new Methods of Proceeding, and engaging us in trivial Diſputes, any longer obſtruct or delay the Public Service."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſhua Morris* and *David M'Connaughy* wait upon the Governor with the ſame.

It being moved, that the Act for preventing the Exportation of Proviſions, naval or warlike Stores, to the *French*, expired at this Sitting of Aſſembly, and that it would be neceſſary for the ſaid Act to be continued in Force for a longer Term, a Bill for that Purpoſe was brought in by a Member of the Houſe, read the firſt and ſecond times, and ordered to be tranſcribed for a third Reading.

Sundry Letters from *Richard Patridge*, Eſq; Agent to this Province, were laid before the Houſe by the Committee of Correſpondence, and read, and ordered to lie on the Table for the Peruſal of the Members.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe return, and report, that they had delivered the ſame, according to Order.

Adjournment *June* 17.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Bill, entituled, *An Act to continue an Act*, entituled, *An Act to prevent the Exportation of Proviſions, naval or warlike Stores, from this Province to* Cape-Breton, *or to any other the Dominions of the* French *King, or Places at preſent in Poſſeſſion of any of his Subjects*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered,

Ordered, That *Derrick Hogeland* and *Calvin Cooper* carry up the said Bill to the Governor for his Concurrence, and acquaint him, that the House desire he would be pleased to give it all the Dispatch in his Power. 1755. *June* 17.

The Gentlemen return, and report, that they had delivered the Bill, for preventing the Exportation of Provisions to the *French*, to the Governor, and that he was pleased to say, he would give the said Bill all possible Dispatch.

Ordered, That *James Pemberton*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Nathaniel Pennock*, *Calvin Cooper*, *David M'Connaughy*, *Joseph Armstrong*, *Moses Starr* and *James Burnside* be a Committee to prepare a Draught of a Bill for the better and more regular Provision of Carriages and Pack-horses, for his Majesty's Service in this Province.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'MR. *Armstrong*, on whose Judgment and kind Assistance I have principally relied in the Purchase of Provisions, and other Necessaries, for the Use of the Men employed in opening and clearing the Road towards the *Ohio*, will inform you of the Progress of that Work, and what still remains to be done; whence you will see that it will be attended with a much greater Expence than was at first imagined.

'The Money sent to the Commissioners has been expended in advancing small Sums to Workmen, either to enable them to subsist their Families in their Absence, or if living at a Distance from the Roads, to bear the Expences of their Journey there; so that the Country People engaged by Mr. *Armstrong* and Mr. *John Smith* to furnish the Provisions, have not as yet received any Thing for them; and as many of them are not able to lie longer out of their Money, it will be necessary to enable those Gentlemen to discharge the Debts already contracted, and to buy what will be further wanted.

'The Price of Hire, Provisions, and every other material Article, was regulated on the Spot, in the Presence of Mr. *Peters*, and the Representatives of the County, who went there at my Instance for this and other necessary Purposes.

'I make no Doubt but though the Expence will be great, yet it will be chearfully borne, and all done in your Power to have the Roads finished with all Expedition; the General having ordered, that the Provisions wanted for the future Subsistence of the Army should be provided out of this Province, and conveyed through this new Road.

'The General has informed me, that he has thought it necessary to discharge a Number of the Soldiers Wives, and has desired they may be subsisted in this Province till the End of the Campaign, towards which, he has ordered a Stoppage of *Twelve-pence Sterlings per* Week out of their Husbands Pay; but as this will not be sufficient, I recommend it to you to take Compassion of these poor People, and add as much to it as will enable them to provide a Subsistence.

Philadelphia, *June* 17, 1755. *ROBERT HUNTER MORRIS*."

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Governor, by the Secretary, sent down to the House a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I HAVE lately received Intelligence, and sent the same forward to the General, that several Bodies of Troops have passed from *Canada* over the Lake *Ontario* in their Way to the *Ohio*, to join the Forces already there; that the *French* are using their utmost Endeavours to engage the *Indians* to take Part with them in this Dispute, and are determined to oppose General *Braddock*, though it should require the whole Force of *Canada*.——There is also great Reason to apprehend, that when the *English* Army is removed to a considerable Distance, the *French* and their *Indians* will fall upon the Inhabitants of the Back Country, and either cut off or greatly interrupt the Communication between us and the Army, which will be attended with very fatal Consequences both with respect to our own People and the King's Troops employed for our Protection.——And as the General, upon this Intelligence, will think it necessary to keep his Troops as much as possible together, not only for prosecuting his Plan, but to defend himself against the Force they are collecting to oppose him, I must earnestly recommend it to you to grant such Supplies as may enable me to build some strong Houses, at convenient Distances, upon the new Road that is opening to the Waters of the *Ohio*, and to maintain such a Number of Men as may be necessary to keep open the Communication with the Army, and to escort the necessary Stores and Provisions to the Places where they may be wanted, that the General may not be laid under the Necessity of detaching any Part of his Force for that Purpose, which would not only

'weaken

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'weaken his main Body, and delay his Motions, but the Detachments themſelves will 'be liable to be ſurpriſed and cut off by the *French* and their *Indians*.

'I muſt alſo recommend it to you, Gentlemen, by a proper Militia Law, to put this 'Province into ſuch a Poſture of Defence, that the Inhabitants may not be expoſed to 'the cruel Incurſions of the Enemy.

'If a Number of Men ſhould be raiſed and ſupported by this Province, as there are 'by almoſt every other Colony upon the Continent, they might not only ſerve as Eſcorts, 'but might join the General, if the Numbers brought againſt him ſhould make ſuch a 'Re-enforcement neceſſary.——But if theſe Things be not done, and the Army, by 'being weakened, ſhould be defeated, or rendered unable to perform the Service they 'are deſtined for, or, ſhould they be diſtreſſed for Want of neceſſary Proviſions, I am 'fearful the Blame will be laid principally upon this Province, as we are moſt imme-'diately concerned, and beſt able to prevent thoſe Miſchiefs.

'When I conſider, Gentlemen, the Duty we owe his Majeſty, and our Mother 'Country, who have ſent theſe Troops to recover what we have ſuffered to be invaded; 'when I reflect on the Regard we ought to have for the Safety of thoſe Men that are 'employed in that Service, how much the future Proſperity and Happineſs of this 'Country depends upon their Succeſs, and how eaſy it will be for this Province, rich 'and flouriſhing as it is, to contribute to that Succeſs, by your doing what I have now 'recommended: I will not ſuffer myſelf to doubt but that you will enter immediately 'upon theſe Matters, and without Delay take the proper Steps, and grant the neceſſary 'Supplies, for carrying them into Execution.

Philadelphia, June 17, 1755. *ROBERT HUNTER MORRIS.*"

The ſeveral Meſſages from the Governor during this Sitting were again read, and conſidered, and, after ſome Time ſpent therein, they were referred to farther Conſideration.

Adjournment *June* 18.

Then the Houſe adjourned to Ten o'Clock To-Morrow Morning.

A Bill for the better and more regular Proviſion of Carriages and Pack-horſes for his Majeſty's Service in this Province, was brought in by the Committee appointed for that Purpoſe, read the firſt time, and ordered a ſecond Reading.

A Petition from ſundry Inhabitants of the County of *Berks* was preſented to the Houſe and read, ſetting forth, that the People of the ſaid County are very apprehenſive that there will be ſhortly a great Want of Bread Corn in the Province, as at this Time, by Reaſon of the late Drought and Froſt, there are ſeveral Perſons mowing their Wheat for Fodder, and the Generality of the Inhabitants believe that they ſhall not reap above a ſingle Buſhel from every Acre of their ſtanding Corn; that theſe Things conſidered, with the Neighbourhood of a conſiderable Army, to be chiefly ſupplied from this Province, and the Expectation of a large Fleet in *America*, which will doubtleſs call for a large Quantity of Bread and Flour, the Petitioners humbly conceive, that it is expedient that ſome Meaſures be taken to keep the ſmall Quantity of Bread Corn that remains, within the Province; the Petitioners therefore pray, that this Houſe would conſider the Premiſes, and provide a Law for preventing the Exportation of Bread, Flour and Corn in ſuch Manner as to the Wiſdom of the Houſe ſhall ſeem moſt meet.

Ordered to lie on the Table.

The Governor, by the Secretary, ſent down the Bill for continuing the Act for preventing the Exportation of Proviſions, naval or warlike Stores, to the *French*, with a Meſſage, that he was ready to paſs the ſame into a Law whenever the Houſe ſhould think proper to preſent it to him for that Purpoſe.

Ordered, That the ſaid Bill be immediately engroſſed.———And the ſame being accordingly done,

Ordered, That *Evan Morgan* and *Joſeph Stretch* wait upon the Governor, and acquaint him, that the Bill, entituled, *An Act to continue an Act*, entituled, *An Act to prevent the Exportation of Proviſions, naval or warlike Stores, from this Province to* Cape-Breton, *or to any other the Dominions of the* French *King, or Places at preſent in Poſſeſſion of any of his Subjects*, is engroſſed, and the Houſe deſire he would be pleaſed to appoint ſome of his Council to join with the ſaid two Members of this Houſe in comparing the engroſſed Bill with the Original.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to appoint two Members of Council to join with the two Members of the Houſe in comparing the ſaid engroſſed Bill with the Original, and that they found them to agree.

Ordered, That *Griffith Owen* and *James Burnſide* ſee the Great Seal affixed to the Law, after it ſhall be paſſed, and the ſame depoſited in the Rolls Office.

A Meſſage from the Governor, by the Secretary:

Mr. SPEAKER,

The Governor is now in the Council Chamber, ready to receive the Houſe, in order to enact the Bill for continuing the Act for preventing the Exportation of Proviſions, naval or warlike Stores, to the French.

Then

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Then the Speaker, with the whole House, waited upon the Governor.——And being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act to continue An Act*, entituled, *An Act to prevent the Exportation of Provisions, naval or warlike Stores, from this Province to* Cape-Breton, *or to any other the Dominions of the* French *King, or Places at present in Possession of any of his Subjects*, to which the Governor was pleased to give his Assent, by enacting the same into a Law.

The House taking into Consideration, that the *Fifteen Thousand Pounds* given to the King's Use at the Sitting in *April* last, and paid out of the Monies in the Disposition of the House, could not answer all the Purposes intended by the Bill for granting *Twenty-five Thousand Pounds*, to which the Governor refused his Assent; but that the Sum intended in that Bill for a general Fund, subject to the Orders of General *Braddock*, and the Sum for defraying *Indian* Expences, cutting of Roads the better to supply the King's Troops, paying of Carriages, Expresses, and other contingent Expences in the King's Service, were yet unprovided for, and the Money in our Power almost exhausted; therefore, it was ordered, that a Bill be now brought in for giving a farther Sum to the King's Use for the said Purposes, and that *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge*, *Peter Worral*, *David M'Connaughy*, *Joseph Armstrong*, *Moses Starr* and *James Burnside* be a Committee to prepare and bring in the same.

The Gentlemen appointed to see the Great Seal affixed to the Law for preventing the Exportation of Provisions to the *French*, report, that the same is done, and that it is deposited in the Rolls Office.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

A Bill for striking the Sum of in Bills of Credit, and giving the same to the King's Use; and for providing a Fund to sink the Bills so to be emitted, was brought in by the Committee appointed for that Purpose, read the first time, and ordered a second Reading.

William Franklin reported, that he had waited on the Governor with the Minute of Assembly appointing the said *Franklin* Clerk of this House, and that the Governor was pleased to say, he would issue his Warrant for affixing the Great Seal to the certified Copies of the Minutes of Assembly, and to the Copy of the *Twenty Thousand Pounds* Bill, agreeable to the Request of the House.

Ordered, That a Bill be now prepared for striking the Sum of *Ten Thousand Pounds* in Bills of Credit, to exchange such of those now by Law current within this Province as are torn and defaced.

And the same being accordingly prepared at the Table, was read the first time, and ordered a second Reading.

Then the House adjourned to *Sixth-day* next, at Ten o'Clock in the Morning.

Adjournment *June* 20.

Sundry Letters to the Governor and the Secretary, respecting the Roads now cutting towards the *Ohio*, were laid before the House and read, and ordered to lie on the Table for the Perusal of the Members.

A Member laid before the House a Paper he received from *England*, relating to the Drawbacks on Foreign Linens, which was read, and ordered to lie on the Table for the Perusal of the Members.

The Bill for striking the Sum of *Pounds* in Bills of Credit, and giving the same to the King's Use, *&c.* was read the second time, and the Question being put, What Sum should be inserted in the said Bill as given to the King's Use at this Time for the Purposes in the said Bill mentioned?

Resolved, That *Fifteen Thousand Pounds* be inserted in the said Bill as the Sum at this Time granted to the King's Use for the Purposes mentioned therein.—Which being accordingly done, the said Bill was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Bill for striking the Sum of *Ten Thousand Pounds* in Bills of Credit, to exchange such of those now by Law current within this Province as are torn and defaced, was read the second time, considered, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *June* 21.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'IN Answer to your Message of the Sixteenth Instant, I think it necessary to observe to you, that whoever is, by the Proprietary Appointment, and the Royal Approbation, made Governor of this Province, has a Right to call the Assembly together whenever he may think it necessary for the Public Service, and from Time to Time, as he shall judge proper, either by Speech or Message, to lay before them the Business he has to recommend; and his Speeches or Messages are a sufficient Foundation for them to proceed upon.

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'As to the Letter from General *Braddock*, which, by a verbal Meſſage, you deſired 'might be laid before you, I informed you by your own Meſſengers, that it contained 'ſeveral Matters I thought improper to publiſh to the World, and for that Reaſon could 'not truſt it with the Houſe, unleſs they would give me ſome Aſſurance that it ſhould 'not be printed.——This Step I thought the more neceſſary, as you had but a little 'Time ago printed and publiſhed the Secretary of State's Letters to me, ſignifying his 'Majeſty's Deſigns and Commands with reſpect to the *French*, notwithſtanding my De-'ſire that you would not; and when you were informed, that I had directed the Printers 'not to publiſh thoſe Letters, you were pleaſed, by the Plenitude of your own Power, 'to order them immediately to proceed to the Publication of thoſe Letters, which they 'accordingly did——and this you claim a Right of doing, as to all Papers that are laid 'before you.—After this, Gentlemen, you cannot be at a Loſs for the Reaſon of my 'Caution upon the preſent Occaſion, being anſwerable for every Secret of State that 'ſhall be communicated to me by the King's Miniſters, or thoſe employed in his Ma-'jeſty's Service; and am, and from the Nature of my Station muſt be, the ſole and only 'Judge what Letters, or Papers, that come to me on his Majeſty's Service, are proper 'to be made public.

'I did not imagine you could be at any Loſs as to the Aſſurance I expect upon this 'Head; but that you may remain no longer ſo, a Promiſe of the Houſe, ſignified by a 'Meſſage, either verbal or otherwiſe, is what I expect——and whenever you will give 'it, the Letter you deſire ſhall be laid before you, but till that or ſomething *tantamount* 'is done, you muſt excuſe me if I do not communicate it.

'As you ſeem to think, in the Cloſe of your Meſſage, that this is a trivial Matter, 'you may wave it, conſiſtent with ſuch Opinion——I who think far otherwiſe cannot 'do it.

Philadelphia, June 21, 1755. *ROBERT HUNTER MORRIS.*"

The Bill, entituled, *An Act for ſtriking the Sum of* Fifteen Thouſand Pounds *in Bills of Credit, and giving the ſame to the King's Uſe; and for providing a Fund for ſinking the Bills ſo to be emitted,* being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

The Bill, entituled, *An Act for ſtriking the Sum of* Ten Thouſand Pounds *in Bills of Credit, to exchange ſuch of thoſe now by Law current within this Province as are torn and defaced,* being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That a Meſſage be now prepared, and ſent up to the Governor with the Bill for granting *Fifteen Thouſand Pounds* to the King's Uſe.

And a Draught of a Meſſage being accordingly prepared, was read, conſidered, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

AS all the Purpoſes of the Bill for granting *Twenty-five Thouſand Pounds* to the King's Uſe, to which the Governor refuſed his Aſſent, could not be anſwered by our ſubſequent actual Gift of *Fifteen Thouſand Pounds*, out of the Monies in the Diſpoſition of this Houſe; but the Sum intended for the General Fund, ſubject to the Orders of General *Braddock*, and the Sum for defraying *Indian* Expences, cutting of new Roads for the better ſupplying the King's Troops, Hiring of Carriages, Payment of Expreſſes, and other contingent Charges for the King's Service, remained unprovided, and our Treaſury by that Gift is almoſt exhauſted; we now ſend up a new Bill, to give the additional Sum of *Fifteen Thouſand Pounds* for thoſe Purpoſes; *Ten Thouſand Pounds* whereof is for the ſaid general Fund; in which Bill we have carefully followed the Act paſſed by Governor *Thomas*, in 1746, for granting *Five Thouſand Pounds* for the King's Uſe, and the other Acts relating to our Bills of Credit, confirmed by the Crown on the Twenty-ninth of *October*, 1748; from which Acts ſo confirmed, the enacting Clauſes, ſo far as they could be made agreeable to our preſent Circumſtances, have been inſerted in this Bill, that every Objection ariſing from the Royal Inſtruction to Colonel *Thomas*, in 1740, might be obviated by a direct Deciſion of the higheſt Authority. And as that Confirmation of our Acts, which we preſume will have its due Weight with our Governor, may be more certainly known to him than it appears to have hitherto been, we take the Liberty of ſending him the Original Confirmation.

We have only to entreat the Governor would be pleaſed to give this Bill all the Diſpatch in his Power, as our long Sitting at this Time is in every Reſpect unſeaſonable, and the Preſence of many of our Members is now abſolutely neceſſary at their Homes for the better Security of their Harveſts under their preſent calamitous Circumſtances."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Stretch* and *James Pemberton* wait upon the Governor with the ſame;

ſame; and likewiſe that they deliver to the Governor the two Bills which paſſed the Houſe this Morning, and acquaint him that the Houſe deſire his Concurrence thereto. 1755. *June* 21.

Ordered, That *Joſeph Armſtrong* have Leave to be abſent the Remainder of this Sitting on urgent Buſineſs.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment

The Houſe met purſuant to their Adjournment. *June* 23.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, and the two Bills, which paſſed the Houſe on *Seventh-day* laſt, report, that they had delivered the ſame according to Order. *Poſt Meridiem*

The Governor's Meſſage of the Twenty-firſt Inſtant was again read; and, after ſome Time ſpent therein, was referred to farther Conſideration.

The Bill for the better and more regular Proviſion of Carriages and Pack-horſes, for his Majeſty's Service, in this Province, was read the ſecond time, debated, and referred for farther Conſideration.

Then the Houſe adjourned to Three o'Clock To-morrow Afternoon. Adjournment

The Governor's Meſſage, of the Twenty-firſt Inſtant, being again read, and conſidered, *June* 24. *Poſt Meridiem*

Ordered, That *Joſeph Fox*, *Benjamin Franklin* and *William Callender* be a Committee to prepare a Draught of an Anſwer to the ſame.

Ordered, That *Thomas Cummings* and *Hugh Evans* wait upon the Governor, and acquaint him, that the Houſe deſire to know when they may expect his Reſult upon the Bills now before him.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he ſhould ſend a Meſſage down to the Houſe this Morning upon one of the Bills, under his Conſideration; and that the Governor was pleaſed further to ſay, that he believed he ſhould alſo ſend the other Bill down to the Houſe ſome Time this Day. *June* 25.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

'I AM informed that many of the Bills of Credit, now current, are in a bad Condi- A Meſſage from the Go-
'tion, and require to be exchanged; but I obſerve by the Settlement of Accounts, vernor to the
'at the Cloſe of your laſt Year's printed Minutes, that the Truſtees of the Loan-Office Aſſembly.
'then had in their Hands the Sum of *Three Thouſand Three Hundred* and *Two Pounds*
'*Six Shillings* and *Eight-pence*, of the Money formerly ſtruck for exchanging ragged and
'defaced Bills; therefore, before I give my Aſſent to the Bill now under my Conſidera-
'tion, I deſire to know what Part of the ſaid Sum has been exchanged ſince the laſt
'Settlement, and how much is now remaining in the Hands of the Truſtees.

Philadelphia, June 25, 1755. *ROBERT HUNTER MORRIS.*"

The Houſe taking the foregoing Meſſage into Conſideration,

Ordered, That the Committee of Accounts do report the State of the Exchange Money in the Hands of the Truſtees of the Loan-Office.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Governor, by the Secretary, ſent down the Bill for granting *Fifteen Thouſand Pounds* to the King's Uſe, with a Paper containing ſundry propoſed Amendments thereto, which was read, conſidered, and debated; and, after a conſiderable Time ſpent therein, *Poſt Meridiem*

Reſolved, That this Houſe adhere to the ſaid Bill as it now ſtands, without admitting the Governor's propoſed Amendments.

The Committee of Accounts made the following Report in Writing, *viz.*

WE the Committee of Accounts do report, that by Order of the Houſe we have examined the Accounts relating to the Exchange Money in the Hands of the Truſtees, and find that by the Report of the Committee laſt Year, the Remainder of the Exchange Money then in their Hands was *Three Thouſand Three Hundred* and *Two Pounds Six Shillings* and *Eight-pence*; but as the Accounts of the preſent Year are not yet ſettled, we could not examine and count the old Bills at preſent in the Loan-Office, but have enquired of the ſaid Truſtees what Sums in old Bills they now judge to be in their Poſſeſſion in order to be ſunk, purſuant to our Laws; who inform us, that as the Bills in their Hands are chiefly Tickets, and other ſmall Money, they cannot immediately aſcertain the Sum, but believe there may be to the Value of *Two Thouſand Pounds* now ready for the Committee. This Sum would leave, to complete the Sinking of all the Bills ſtruck by our ſeveral Acts for exchanging torn and ragged Bills, *One Thouſand Three Hundred* and *Two Pounds Six Shillings* and *Eight-pence*, which very probably may be brought in Report from the Committee of Accounts.

to

1755. *June* 25. to the Truſtees by the uſual Time of ſettling our Accounts, and by that Means all thoſe Acts may be finally anſwered.

WILLIAM CALLENDER, EVAN MORGAN,
JOSEPH HAMTON, JOSEPH FOX,
THOMAS CUMMINGS, JOSEPH STRETCH."

Ordered, That the following Meſſage be now ſent up to the Governor, in Anſwer to his Meſſage of this Morning, and that *Calvin Cooper* and *Peter Worral* wait upon the Governor with the ſame, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

BY the Report of a Committee of our Houſe, we find, that it appears by the laſt Year's Accounts, the Remainder of the Exchange Money was then *Three Thouſand Three Hundred* and *Two Pounds Six Shillings* and *Eight-pence*; about *Two Thouſand Pounds* whereof, by the beſt Judgment the Truſtees can make, is now in their Hands, in order to be ſunk by our preſent Committee; but as this is not the uſual Time of ſettling the Accounts of the Year, the Sum cannot be exactly aſcertained without much Trouble, as it conſiſts for the moſt Part of Bills of the ſmalleſt Denominations, which are much torn and defaced. This Sum when ſunk would leave about *Thirteen Hundred Pounds* in their Hands for exchanging torn and ragged Bills, which may probably be brought in by the Time our Accounts are ſettled, and by that Means thoſe Acts may be finally compleated.

Signed, by Order of the Houſe,

Philadelphia, June 25, 1755. *P. M.* ISAAC NORRIS, *Speaker.*"

Adjournment *June* 26. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe report, that they delivered the ſame according to Order.

Ordered, That *Mahlon Kirkbride* and *George Aſhbridge* wait upon the Governor with the Bill for granting *Fifteen Thouſand Pounds* for the King's Uſe, and acquaint him, that the Houſe adhere to the ſaid Bill in all its Parts, and deſire to know whether he is willing to paſs it into a Law as it now ſtands; and further, that they requeſt the Governor would be pleaſed to return the Lords Juſtices Approbation of the *Pennſylvania* Acts, which was ſent up to him with the ſaid Bill.

A Letter to the Speaker, from *Samuel Hazard*, concerning his Petition to the Houſe in *April* laſt, relating to a Scheme for ſettling a new Colony to the Weſtward of this Province, was laid before the Houſe and read, and

Ordered to lie on the Table.

An Account from the Governor for Sums paid by him for Expreſſes, amounting to *Thirty Pounds Four Shillings* and *Three-pence*; and *Seventeen Pounds Twelve Shillings*, paid by the Secretary for the Governor's Expences at *Cheſter*, &c. in going down to *Alexandria*, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe return, and report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he ſhould again take the Bill for granting *Fifteen Thouſand Pounds* to the King's Uſe into his Conſideration.

The Gentlemen likewiſe brought down the Lord's Juſtices Approbation of the *Pennſylvania* Acts, which the Governor was pleaſed to return to them, purſuant to the Requeſt of the Houſe.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of the Twenty-firſt Inſtant, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, with the Papers therein referred to, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'GOVERNOR *Shirley* has repreſented to me, that nothwithſtanding the Meaſures taken in the ſeveral Colonies to prevent the Supplying the *French* with Proviſions, a Trade of that Kind is carried on, under the Pretence of going to *Newfoundland*; for preventing which within his Government, the Legiſlature have paſſed a Law which I have ordered to be laid before you, together with Governor *Shirley's* Letter to me upon that Head; and, agreeable to his Requeſt, recommend it to you to fall upon Methods effectually to prevent ſuch a Trade from this Province.

Philadelphia, June 26, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary likewiſe laid before the Houſe a Copy of a Letter from the Governor to *Conrad Weiſer*, and another from the ſaid *Weiſer* to the Secretary, relating to *Indian* Affairs, which were read, and ordered to lie on the Table for the Peruſal of the Members.

Ordered,

1755. *June* 26.

Ordered, That the Bill for the better and more regular Proviſion of Carriages and Pack-horſes, for his Majeſty's Service, in this Province, be committed to the Committee who brought it in for Amendment.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *June* 27.

The Governor, by the Secretary, ſent down the Bill for ſtriking the Sum of *Ten Thouſand Pounds* for exchanging of torn and defaced Bills now by Law current within this Province, with ſome propoſed Amendments, which were read, conſidered, and referred to further Conſideration.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

THE Power of calling the Aſſembly together whenever the Public Service requires it, in the intermediate Times of their Adjournments, we preſume is, and ought to be, lodged in the Governor of this Province; and we do not recollect any Inſtance in which it has been either diſputed or diſobeyed: So long as that Power is duly exerciſed, the ſudden and unforeſeen Exigences of Government are provided for, the Aſſemblies impowered to act at all Times for the public Good, and the People themſelves obliged; and accordingly we find the Repreſentatives, when thus ſummoned, repeatedly acknowledging the Governor's Care in calling them together by his Writs, in which the Reaſons have generally been inſerted, and a proper Regard has been ſhewn to the Convenience of the Members in their Harveſts, and at the other unſeaſonable Times of the Year, or when the public Affairs were preſſing, a ſuitable Diſpatch has been given, on the Part of our Governors, without ſtudied Delays, or introducing Matters of ſmall Importance directly tending to fruſtrate the Ends for which they were called together. And under this Oeconomy the Members have chearfully attended whenever the Public Buſineſs has unavoidably interfered with their private Intereſts. But ſhould our Governors conſider this Power, as a Power of bringing us together at a great Expence to the Country, merely to ſhew their Abilities in contriving new Modes, or making new Demands upon the People, to obſtruct the Ends of their Meeting, we apprehend it will anſwer no valuable Purpoſes.

The Governor is pleaſed to inform us, that as he has a Power to ſummon us by his Writs, he has alſo a Right, by Speech or Meſſage, to lay before us the Buſineſs he has to recommend, and that his Speeches or Meſſages are a ſufficient Foundation for the Aſſembly to proceed upon; and it may occaſionally be true: But when his Writs are iſſued upon Letters or Advices, referred to in his Speeches and Meſſages, we conceive the original Papers ought to be laid before us, as has ever been the Practice in this Province; and a different Conduct at this Time, can tend only to create a Miſunderſtanding between the ſeveral Branches of the Legiſlature, and obſtruct the Ends for which he has called us together.

By the Governor's Meſſage of the Twenty-fourth of *December* laſt we are told, that "the Conduct of his Predeceſſor is no Rule to him, nor will his be for any one that "may ſucceed him;" but however Governors may be changed, or with whatever Views they may ſucceed one another, it will become the People to make their own Actions conſiſtent, which we conceive can only be done by making ſuch original Papers as the Governor ſhall think fit to lay before us the Rule of our Proceedings. It is true, the Governor has told us repeatedly, that upon our printing the Secretary of State's Letter, we "could not be at a Loſs for the Reaſon of his Caution in laying General *Braddock's* "Letter before the Houſe;" but when we conſider the full Anſwer already given to that Objection, we are really at a Loſs to conceive why he ſhould think it of any Weight, unleſs he can ſhew, that the Printing it diſcloſed any of his Majeſty's Deſigns and Commands, with reſpect to the *French*, not more generally known before by his own Meſſages, the public Prints, and the Speeches of other Governors, than they could be by our publiſhing them in our Votes, eſpecially as it was communicated to us without the leaſt Caution, and was actually printed before we had any Knowledge of the Governor's Objection to it.

That the Governor may be "anſwerable for every Secret of State, communicated to "him by the King's Miniſters, or thoſe employed in his Majeſty's Service," may be true; but if they are ſuch as he is enjoined to lay before the Aſſembly, and he accordingly recommends them as ſuch, we preſume he will be acquitted, and the Houſe muſt be anſwerable for their own Conduct. But if the Governor ſuppoſes, that from the Nature of his Station he muſt be "the ſole and only Judge" what Letters or Papers, coming to him on his Majeſty's Service, are proper to be made public, we are under a Neceſſity of differing from him ſo far as ſuch Letters or Papers are to be the Juſtification of our Conduct, which we preſume the Houſe may publiſh or not, according to their own Prudence, in which, we are aſſured, the Governor may very ſafely confide."

And the ſame being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Nathaniel Grubb* and *Joſeph James* wait upon the Governor with the

1755. *June* 27. same, and acquaint him, that the Houſe deſire to know whether he has come to any Reſult upon the Bill now before him for granting *Fifteen Thouſand Pounds* for the King's Uſe.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he had the Amendments which he propoſed to the Bill for granting *Fifteen Thouſand Pounds* for the King's Uſe now under his Conſideration, and ſhould return the ſaid Bill to the Houſe this Afternoon.

The Governor, by the Secretary, ſent down the Bill for granting *Fifteen Thouſand Pounds* to the King's Uſe, with a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I HAVE re-conſidered the Amendments made by me to the Bill, entituled, *An Act for ſtriking the Sum of* Fifteen Thouſand Pounds *in Bills of Credit, and giving the ſame to the King's Uſe, and for providing a Fund to ſink the Bills ſo to be emitted*, and do adhere to thoſe Amendments.

Philadelphia, June 27, 1755. *ROBERT HUNTER MORRIS.*"

The Governor's propoſed Amendments to the Bill for ſtriking *Ten Thouſand Pounds* for exchanging ragged and torn Bills, being again read, and conſidered; ſome of them were agreed to by the Houſe, and in others the Houſe adhered to the Bill.

Ordered, That *William Smith* and *Joſeph Hamton* wait upon the Governor with the ſaid Bill, and acquaint him, that the Houſe have agreed to ſundry of his propoſed Amendments, and deſire that he would be pleaſed to paſs the Bill as it is now amended.

The Committee to whom the Bill for the better and more regular Proviſion of Carriages and Pack-horſes, for his Majeſty's Service in this Province, was recommitted for Amendment, reported the ſame to the Houſe, with ſundry Alterations they had made therein; and the ſame was read, and referred to farther Conſideration.

The Gentlemen return, and report, that they had delivered the Bill, for ſtriking *Ten Thouſand Pounds* for exchanging ragged and torn Bills, to the Governor, with a Paper containing ſuch of his propoſed Amendments as the Houſe had agreed to, according to Order.

Adjournment *June* 28.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Governor, by the Secretary, ſent down the Bill for ſtriking the Sum of *Ten Thouſand Pounds* in Bills of Credit, to exchange ſuch of thoſe now by Law current within this Province as are torn and defaced, with a Meſſage, that the Governor had withdrawn his firſt propoſed Amendment to the ſaid Bill, and agreed to the Amendments the Houſe had made upon his ſecond propoſed Amendment; and was ready to paſs the ſame into a Law whenever the Houſe ſhould preſent it to him for that Purpoſe.

Ordered, That the ſaid Bill be ingroſſed.——And the ſame being done accordingly,

Ordered, That *Hugh Evans* and *Peter Dicks* wait upon the Governor, and acquaint him, that the Bill for ſtriking *Ten Thouſand Pounds* for exchanging ragged and torn Bills is engroſſed, with the Alterations agreed on, and the Houſe deſire he would be pleaſed to appoint a Member of Council to meet a Member of this Houſe, in order to compare the ſaid Bill: And further, deſire to know what Time the Governor would be pleaſed to appoint that the Houſe ſhould wait upon him, in order to the paſſing the ſame into a Law.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would immediately appoint a Member of Council to meet a Member of this Houſe, to compare the ingroſſed Bill; and that he would be ready in Half an Hour to receive the Houſe in the Council Chamber, in order to enact the ſaid Bill into a Law.

Ordered, That *Peter Dicks* do meet a Member of Council to compare the engroſſed Bill with the Original.

Reſolved, That this Houſe will this Day adjourn to the Firſt Day of *September* next.

Peter Dicks reported, that he had with a Member of Council compared the engroſſed Bill, and found it to agree with the Original.

Ordered, That *Joſeph Stretch* and *Joſeph Fox* ſee the Great Seal affixed to the Law after it is paſſed, and the ſame depoſited in the Rolls Office: And further, that they acquaint the Governor with the propoſed Time of Adjournment.

A Meſſage from the Governor, by the Secretary:

SIR,

The Governor is now in the Council Chamber ready to receive the Houſe, in order to paſs the Bill into a Law.

Then the Speaker, with the whole Houſe, waited on the Governor.

The Houſe being returned, the Speaker reſumed the Chair, and reported, that the Houſe

Houſe had waited on the Governor with the Bill, entituled, *An Act for ſtriking the Sum of* Ten Thouſand Pounds *in Bills of Credit, to exchange ſuch of thoſe now by Law current within this Province as are torn and defaced*; to which the Governor was pleaſed to give his Aſſent, by enacting the ſame into a Law. 1755. *June* 28.

The Gentlemen appointed to acquaint the Governor with the propoſed Time of Adjournment, reported, that they had done the ſame according to Order; and that the Governor was pleaſed to ſay, he had no Objection thereto.

Reſolved, That the Sum of *Two Hundred Pounds* Sterling be now remitted to our Agents in *Great-Britain*, to lie in their Hands for the Service of the Province, and to be accounted for by them hereafter.

The Gentlemen appointed to ſee the Great Seal affixed to the Law, report, that the ſame is done, and that it is depoſited in the Rolls Office.

Ordered, That the Bill for the better and more regular Proviſion of Carriages and Pack-horſes, for his Majeſty's Service in this Province, be referred to the Conſideration of the Houſe at their next Sitting.

Reſolved, That, till the next Sitting of Aſſembly, this Houſe will pay ſuch reaſonable Charges as ſhall be neceſſarily expended (over and above their *Twelve-pence* Sterling *per* Week allowed them by the General) for the Support of ſuch of the Women as are now in Town belonging to the Army, or that may hereafter arrive from thence, recommended by the General.—And the Houſe do requeſt the Overſeers of the Poor of the City of *Philadelphia* to take the ſaid Women under their Care, and provide for them in ſuch Manner as ſhall be leaſt expenſive to the Province.

Then the Houſe adjourned to the Firſt Day of *September* next. Adjournment

THE Repreſentatives of the Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe met accordingly. *July* 23. *Poſt Meridiem*

Ordered, That *Evan Morgan* and *Joſeph Stretch* wait upon the Governor, and acquaint him, that the Houſe are met, in Purſuance of his Writs, and ready to receive any Thing he may have to lay before them; and deſire he would be pleaſed to furniſh them with a Copy of the Writs by which they were ſummoned.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he ſhould have laid the Buſineſs he had for the Conſideration of the Houſe before them Yeſterday Afternoon, had not the ſhocking News he had received of the Defeat of the Army prevented his getting it ready Time enough; but that the Houſe ſhould hear from him this Morning, and have a Copy of the Writs by which they were ſummoned. *July* 24.

Sundry Letters from *Richard Patridge*, Eſq; one of the Agents of this Province at the Court of *Great-Britain*, to the Committee of Correſpondence, were laid before the Houſe and read.

A Meſſage from the Governor, by the Secretary:

S I R,

The Governor requires the Attendance of the Houſe in the Council Chamber immediately.

The Speaker, with the whole Houſe, waited upon the Governor accordingly.——And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor, who was pleaſed to make a Speech to this Houſe, a Copy of which he had delivered to the Speaker, with two Letters, which he informed the Houſe he had received ſince his coming to the Council Chamber, containing the Particulars of the Defeat of the Army under the Command of the late General *Braddock*, and a Liſt of the killed and wounded.

The Secretary brought down to the Houſe a Copy of the Writs by which the Houſe were ſummoned, alſo ſundry Letters and Papers which the Governor had received concerning the late Defeat.

The Governor's Speech was read at the Table, by Order, and follows in theſe Words, *viz.*

Mr. Speaker, and Gentlemen of the Aſſembly,

Governor's Speech.

'IT is with the greateſt Concern I now lay before you the melancholy Accounts of the Defeat of the Forces under the immediate Command of General *Braddock*, which you will find is attended with very ſhocking Circumſtances; the General killed, and moſt of the Officers that were in the Action are either killed or wounded; the Bulk of the Men cut off; his whole Train of Artillery taken; and Colonel *Dunbar* is now retreating, with the Remains of the Army, to Fort *Cumberland*. This unfortunate and unexpected Change in our Affairs will deeply affect every one of his Majeſty's Colonies, but none of them in ſo ſenſible a Manner as this Province, which,

' having

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'having no Militia, is thereby left expoſed to the cruel Incurſions of the *French*, and 'their barbarous *Indians*, who delight in ſhedding human Blood, and who make no 'Diſtinction as to Age or Sex,——as to thoſe that are armed againſt them, or ſuch as 'they can ſurprize in their peaceful Habitations——all are alike the Objects of their 'Cruelty,——ſlaughtering the tender Infant and frighted Mother with equal Joy and 'Fierceneſs. To ſuch Enemies, ſpurred on by the native Cruelty of their Tempers, 'encouraged by their late Succeſs, and having now no Army to fear, are the Inhabitants 'of this Province expoſed——and by ſuch muſt we now expect to be over-run, if we 'do not immediately prepare for our own Defence; nor ought we to content ourſelves 'with this, but reſolve to drive and confine the *French* to their own juſt Limits.

'This, Gentlemen, however gloomy the preſent Appearance of Things may be, is 'certainly in the Power of the *Britiſh* Colonies to do; and this is not only their trueſt 'and moſt laſting Intereſt, but their higheſt Duty.——The Eaſtern Governments have 'already gone a great Way towards removing that faithleſs but active People from their 'Borders; let us follow the noble Example they have ſet us, ſhew ourſelves worthy of 'the Name of *Engliſhmen*, and, by a vigorous Exertion of our Strength, diſlodge the 'Enemy from our Frontiers, and ſecure the future Peace and Safety of the Province; 'for we may aſſure ourſelves, that while they poſſeſs the Countries they have unjuſtly 'ſeized, we never ſhall truly enjoy either.

'Allow me therefore, Gentlemen, to recommend to your moſt ſerious Conſideration 'the preſent State and Condition of your Country, the Danger to which the Lives and 'Properties of all thoſe you have undertaken to repreſent ſtand expoſed at this critical 'and melancholy Conjuncture; and to deſire that you would not, by an ill-timed Par-'ſimony, by reviving any Matters that have been in Diſpute, or from any other Motive, 'ſuffer the People to remain any longer undefended, or the Blood of the Innocent to 'be ſhed by the cruel Hands of Savages. —— There are Men enough in this Province 'to protect it againſt any Force the *French* can bring, and Numbers of them are willing 'and deſirous to defend their Country upon the preſent Occaſion, but they have neither 'Arms, Ammunition nor Diſcipline, without which it will be impoſſible to repel an 'active Enemy, whoſe Trade is War. —— I therefore hope, that you will, without 'Delay, grant ſuch Supplies as may enable me not only to ſecure the People of this Pro-'vince, but by reinforcing and aſſiſting the King's Troops, enable them to remove the '*French* from their preſent Encroachments.

'If ſomething very effectual be not done at this Time for the Safety and Security of 'the Province, the Enemy, who know how to make the beſt Uſe of a Victory, will 'ſtrengthen themſelves in ſuch a Manner, that it will be next to impoſſible for us to re-'move them.

'Upon the earlieſt Intelligence of the Defeat of our Forces, knowing the immediate 'Danger to which we were expoſed, I ſummoned you together, that you might have a 'timely Opportunity of exerting yourſelves in the Service of your Country, and of ſet-'ting a proper Example to the neighbouring Colonies, who will doubtleſs, if we do 'our Duty, employ their utmoſt Strength upon the preſent Occaſion, and heartily join 'in any Meaſures that may be concerted for our common Safety.

Philadelphia, July 24, 1755. *ROBERT HUNTER MORRIS.*"

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The ſeveral Letters and Papers brought down by the Secretary this Morning, concerning the late Defeat of the Troops under General *Braddock*, were read, conſidered, and referred to farther Conſideration.

The Governor's Speech was again read, and conſidered, and referred to farther Conſideration.

Adjournment — Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

July 25. — The Governor's Speech was again read, and conſidered, and, after ſome Time ſpent therein, was referred to farther Conſideration in the Afternoon.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — A Meſſage from the Governor, by the Secretary:

S I R,

The Governor orders me to acquaint the Houſe, that the Indian Jagrea, *who went from this City in* December *laſt to the* Owendaets, *is on his Return here, in Company with four Deputies of that Nation; and that as well for this as other Reaſons which ariſe from the preſent Exigence of Affairs, he thinks it neceſſary Mr.* Weiſer *ſhould be immediately ſent for by Expreſs.*

The Houſe taking the foregoing Meſſage into Conſideration,

Reſolved, That it is the Opinion of this Houſe, that it is proper that *Conrad Weiſer* ſhould be ſent for at this Time; and this Houſe will pay ſuch reaſonable Expences as ſhall accrue thereupon.

The Houſe being informed, that the Secretary was attending without, the Clerk was ordered to inform him of the foregoing Reſolution, which was accordingly done.

The

1755. *July* 25.

The House resumed the Consideration of the Governor's Speech, and, after a considerable Time spent therein,

Resolved, That the Sum of *Fifty Thousand Pounds* be, at this Time, granted to the King's Use.

Resolved, That this House will To-morrow Morning resolve itself into a Committee of the whole House, to consider of Ways and Means for raising the said Sum of *Fifty Thousand Pounds* for the King's Use.

Then the House adjourned to Nine o'Clock To-Morrow Morning. Adjournment *July* 26.

The Order of the Day being read,

The House resolved itself into a Committee of the whole House, to consider of Ways and Means for raising the Sum of *Fifty Thousand Pounds* for the King's Use; and, after some Time spent therein, the Speaker resumed the Chair, and *Hugh Evans*, Chairman, reported, that the Committee had made some Progress in the Matters referred to them, but not having Time to go through the same, they had directed him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee, to take into their further Consideration Ways and Means for raising *Fifty Thousand Pounds* for the King's Use.

Then the House adjourned to next *Second-day*, at Ten o'Clock, *A. M.* Adjournment *July* 28.

The House met pursuant to their Adjournment.

Resolved, That this House will this Afternoon resolve itself into a Committee, to take under their further Consideration Ways and Means for raising *Fifty Thousand Pounds* for the King's Use.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Governor, by the Secretary, sent down to the House a Message in Writing, with sundry Letters relating thereto, which were severally read, and the Message is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I HAVE just now received Information from Fort *Cumberland*, that Colonel *Dunbar* 'arrived there on the Twenty-second Instant with the Army, having about Three 'Hundred wounded Officers and Soldiers, and that he intended, as soon as Circumstances 'would admit, to march to this City, for which he is already making the necessary 'Dispositions. The Removal of the Army from the Frontiers will leave the Back Settle-'ments entirely exposed to the Incursions of the *French* and *Indians*, who are flushed 'by their late Victory, and will be encouraged, by the Retreat of the Forces, to pene-'trate deep into the Province, and the People being defenceless, will immediately quit 'their Habitations.

'I lay these Matters before you, that you may as soon as possible fall upon Measures 'for the Protection of the Western Frontiers, in which you may assure yourselves my 'best Assistance shall not be wanting.

'I think it highly necessary, that his Majesty and his Ministers should, as soon as 'possible, be informed of what has happened, and of the State of the Province, that 'they may take proper Measures for our Security; and therefore recommend it to you 'to enable me to dispatch a Vessel to *England* for that Purpose.

Philadelphia, *July* 28, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary addressing himself to the Chair, said,

SIR,

The Governor commands me to acquaint you, that the Express is returned from Mr. Weiser, *who, you will see by his Answer, is indisposed, and cannot come himself, but has sent his* Son *to meet and accompany* Jagrea, *and the other* Indians, *by his House to this Town.*

Mr. Weiser *reminds him of the Contents of the Letter lately communicated to you concerning the Support of the* Indian *Women from* Aughwick, *and as he presses for an Answer, you will be pleased to enable the Governor to give one.*

The Governor lays before you a Letter, signed by Mr. Weiser, *and some other Justices of the County of* Berks, *representing the State of the* Roman Catholicks *in that Neighbourhood, and praying, that certain Measures may be taken; concerning which he would be glad to have your Advice and Assistance.*

The Letters mentioned in the foregoing verbal Message were also read, and considered, and ordered to lie on the Table.

The House taking into Consideration that Part of the Governor's Message which relates to Colonel *Dunbar's* Design of coming immediately to this City with the Army under his Command,

Ordered, That *Benjamin Franklin*, *James Wright* and *John Wright* be a Committee to prepare a Draught of a Message to the Governor upon that Head.——And the same being accordingly done, was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

1755. *July* 28.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

WE have conſidered that Part of the Governor's Meſſage relating to the propoſed March of Colonel *Dunbar's* Forces from Fort *Cumberland* to *Philadelphia*; and as the People on the Frontiers are at preſent under great Apprehenſions of Danger, and ready to abandon their Settlements; and thoſe Forces, if properly diſpoſed, might contribute very much to their Security, and be as well provided with every Thing as they could be at *Philadelphia*; and as there are yet ſeveral Months in which the Weather in this Climate is commonly ſuch as that it is not abſolutely neceſſary Men ſhould go into Quarters; we would requeſt the Governor to take the Steps that may be proper to procure a Diſpoſition of the Troops in ſuch Places, as may be moſt ſuitable for the Protection of the Frontier Inhabitants of this and the neighbouring Colonies, at leaſt till the Approach of Winter."

And the ſame being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Griffith Owen* and *Samuel Brown* wait upon the Governor with the ſame.

An Account from *Robert Thompſon*, Eſq; of *Lancaſter*, for Caſh paid by him for the Hire of Horſes for two Expreſſes which paſſed through the ſaid Town on public Buſineſs, amounting to *Three Pounds Thirteen Shillings*, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they had delivered the ſame according to Order.

The Order of the Day being read for the Houſe to reſolve itſelf into a Committee, to take under their further Conſideration Ways and Means for raiſing *Fifty Thouſand Pounds* for the King's Uſe,

Reſolved, That this Houſe will To-morrow Morning reſolve itſelf into the ſaid Committee.

Ordered, That *Evan Morgan*, *William Callender*, *Joſeph Hamton*, *George Aſhbridge*, *James Wright*, *John Wright*, *John Smith* and *Moſes Starr* be a Committee to prepare a Draught of an Addreſs in Anſwer to the Governor's Speech.

Adjournment

Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

July 29.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'ON the preſent Emergency I think it proper, on the Part of the Proprietaries, to propoſe, as an additional Encouragement to ſuch Perſons as ſhall now engage and go upon an Expedition from this or the neighbouring Provinces, to remove the *French* from their Encroachment on the River *Ohio*, to grant the following Quantities of Land Weſt of the *Allegeny* Mountains, without any Purchaſe Money, and with an Exemption from the Payment of Quitrent for the Space of Fifteen Years from the Firſt Day of *March* next, *viz.*

	Acres.
To every Colonel, ——— ———	1000
To each Lieutenant Colonel and Major, ——	750
To every Captain, — — — — —	500
To each Lieutenant and Enſign, — ———	400
To every common Soldier, — ———	200

'The ſaid Lands to be patented to the reſpective Officers and Soldiers, their Heirs or Aſſigns, without any Fees or Charges but thoſe of ſurveying, on Condition of Settlement within the Space of three Years after the Removal of the *French*. And I do recommend to you to afford ſome Aſſiſtance to ſuch as ſhall incline to accept of the above Terms, and make Settlements accordingly.

Philadelphia, *July* 29, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary likewiſe brought down a Letter from one *Hart*, formerly an *Indian* Trader in this Province, and lately returned from *Canada*, whither he fled to avoid being apprehended for killing a Man in *Cumberland* County; which Letter the Secretary ſaid, the Governor recommended to the Conſideration of the Houſe, and deſired they would give him their Advice upon the ſame.

The Order of the Day being read,

The Houſe accordingly reſolved itſelf into a Committee, to take under their further Conſideration Ways and Means for raiſing *Fifty Thouſand Pounds* for the King's Uſe; and, after ſome Time ſpent therein, the Speaker reſumed the Chair, and *Hugh Evans*, Chairman, reported, that the Committee had had under their further Conſideration the Matters referred to them, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again in the Afternoon.

Reſolved,

1755. *July* 29.

Resolved, That this House will again resolve itself into a Committee, to take into their further Consideration Ways and Means for raising *Fifty Thousand Pounds* for the King's Use, this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

A Remonstrance from sundry Inhabitants of the City and County of *Philadelphia* was presented to the House and read, setting forth, that the Remonstrants are informed, that this House have voted *Fifty Thousand Pounds* for the King's Use; to be raised by a general Tax on Estates, Real and Personal, in this Province; that they with all Submission conceive, that *One Hundred Thousand Pounds* is as small a Sum as will answer the present Exigency, and are therefore willing to contribute their Proportion of the same, or to a larger Sum, if the House should think it necessary.

Ordered to lie on the Table.

The House according to Order, again resolved itself into a Committee, to take into their further Consideration Ways and Means for raising *Fifty Thousand Pounds* for the King's Use; and, after some Time spent therein, the Speaker resumed the Chair, and *Hugh Evans*, Chairman, reported, that the Committee had gone through the Matters referred to them, and had come to two Resolutions thereupon, which the Committee had directed him to report to the House; and he read the same in his Place, and afterwards delivered them in at the Table, where they were again read, and agreed to by the House, as follow;

Resolved, That a Tax be now laid upon all Estates, Real and Personal, within this Province.

Resolved, That the whole of the Sum of *Fifty Thousand Pounds*, to be now raised for the King's Use, be raised by a Tax of *Twelve-pence per Pound* and *Twenty Shillings per* Head, yearly, for two Years, on all the Estates, Real and Personal, and Taxables, within this Province.

Ordered, That a Bill be brought in, pursuant to the foregoing Resolutions; and it is referred to *Joseph Fox*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joseph James*, *James Wright*, *John Wright* and *John Smith* to prepare and bring in the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *July* 30.

The Committee appointed to prepare a Draught of an Address, in Answer to the Governor's Speech, reported the same to the House; and it was read, considered, agreed to, and ordered to be engrossed, that it may be sent up to the Governor.——And the same being accordingly done, was again read, and is as follows, *viz.*

To the Honourable *ROBERT HUNTER MORRIS*, Esq; Lieutenant-Governor of the Province of *Pennsylvania*, &c.

The ADDRESS of the Representatives of the Freemen of the said Province, in GENERAL ASSEMBLY met, at *Philadelphia*, the 30th Day of the *Seventh Month*, called *July*, 1755.

May it please the GOVERNOR,

Assembly's Address, in Answer to the Governor's Speech.

WE have deliberately and seriously considered the Governor's Speech of the Twenty-fourth Instant, together with the Letters and Papers he has been pleased to lay before us, by which we find, that the Defeat of the Forces, under the immediate Command of General *Braddock*, and the Retreat of Colonel *Dunbar* to Fort *Cumberland*, are attended with very shocking Circumstances: Nevertheless, it gives us real Satisfaction, under this unfortunate and unexpected Change in our Affairs, that this Province has seasonably and chearfully complied with the Demands of the King's Forces, and that no Part of this unhappy Defeat can be laid to our Charge.

We think it our Duty on this Occasion to be neither parsimonious nor tenacious of such Matters as have been in Dispute, and are now under the Consideration of our Superiors; but, reserving to ourselves all our just Rights, we have resolved to grant *Fifty Thousand Pounds* for the King's Use, by a Tax on all the real and personal Estates within this Province, in which we shall proceed with all possible Dispatch; hoping to meet in the Governor the same good Dispositions he so earnestly recommends to us.

The Governor's Call of our House at this Time is agreeable to us, as it impowers us to exert ourselves yet farther in the Service of our Country; and the like Opportunity given to the Lower Counties, under the Governor's Administration, we doubt not will be acceptable to them, and add their Contribution to the common Cause before the Time to which they stand adjourned."

And the said Address being signed by the Speaker, by Order of the House,

Ordered, That *Joseph Stretch*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Nathaniel Grubb*, *Calvin Cooper*, *John Wright*, *John Smith* and *Moses Starr* wait upon the Governor, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment

The

1755. *July* 31. The Gentlemen appointed to wait upon the Governor with the Addreſs of the Houſe, report, that they had delivered the ſame according to Order.

A Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe, by a Tax of *Twelve-pence per* Pound, and *Twenty Shillings per* Head, yearly, for two Years, on all Eſtates, Real and Perſonal, within this Province, was brought in by the Committee appointed to prepare the ſame, and read the firſt time, and ordered a ſecond Reading.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

Sundry Petitions from many of the Inhabitants of the Townſhips of *Paxton*, *Derry* and *Hanover*, and from other the Inhabitants of the Back Counties, were preſented to the Houſe and read, ſetting forth the great Danger they apprehend themſelves to be in ſince the late Defeat of the Forces under General *Braddock*, and praying that this Houſe would furniſh them with Arms and Ammunition for Defence of their Houſes and Families, or provide for their Protection and Safety in ſuch other Manner as to the Wiſdom of the Houſe ſhall ſeem moſt meet. *Ordered to lie on the Table.*

Ordered, That *Peter Worral* have Leave to be abſent the Remainder of this Sitting on urgent Buſineſs.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 1. Two Petitions from ſundry Inhabitants of the County of *Cheſter*, praying, that this Houſe would provide them with ſome Arms and Ammunition, and take ſuch other Steps for their Security in this Time of Danger, as to the Wiſdom of the Houſe ſhall ſeem moſt proper, was preſented to the Houſe and read, and

Ordered to lie on the Table.

The Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe was read the ſecond time, and referred for Conſideration to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe went upon the Conſideration of the Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe, and, after ſome few Alterations made therein, the ſame was ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 2. An Account from the Governor for ſundry public Expences by him paid, amounting, with the Balances of his former Accounts included, to *Five Hundred* and *Forty-nine Pounds Nine Shillings* and *Seven-pence*, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe, being tranſcribed, was read the third time, and a Paragraph being inſerted therein, by Way of Rider, by Order of the Houſe;

Reſolved, That the Bill do paſs.

Ordered, That *Evan Morgan* and *Joſeph Fox* wait upon the Governor with the ſaid Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe, and acquaint him, that the Houſe deſire his Concurrence thereto.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

Auguſt 4. The Houſe met according to their Adjournment.

Poſt Meridiem The Gentlemen appointed to wait upon the Governor with the Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe, reported, that they had delivered the ſame according to Order.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 5. The Houſe met, and adjourned to Three o'Clock in the Afternoon.

Adjournment *Poſt Meridiem* The Governor, by the Secretary, ſent down to the Houſe the Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe, with a Paper containing ſundry propoſed Amendments thereto.

The Secretary informed the Houſe, that the Governor recommended to the Houſe the Caſe of ſundry of the Road Cutters living near this City, who were come down from *Cumberland* County without their Pay, or any Certificate of what was due to them, as the Overſeer of the Roads was gone to the Camp, and they could not wait till his Return.

The Secretary likewiſe laid before the Houſe, an Account from *Edward Shippen*, Eſq; of *Lancaſter*, of Money advanced by him to ſundry of the Road Cutters, to aſſiſt them in their Journey to and from *Cumberland* County.

The Governor's propoſed Amendments to the Bill for raiſing *Fifty Thouſand Pounds* for the King's Uſe, by a Tax on all Eſtates, Real and Perſonal, within this Province, *&c.* were read, and conſidered; and it being obſerved by the Houſe, that the Governor propoſes, in the ſaid Amendments, to exempt the Proprietary Eſtate from contributing any Thing towards the Sum to be raiſed for the common Security of the Province,

Ordered, That *Joſeph Stretch*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Peter Dicks*, *James Wright*, *John Wright*, *John Smith* and *Moſes Starr* be a Committee to prepare a Draught of a Meſſage to the Governor thereupon.

Then the Houſe adjourned for Half an Hour.

The

1755. *Auguſt* 5.

The Houſe met, *&c.*

The Committee appointed to prepare a Draught of a Meſſage to the Governor, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

An Account from *Daniel Light*, amounting to *Fifteen Pounds*, for his Trouble and Expences in going Expreſs from *Philadelphia* to Fort *Cumberland*, and back again, for Intelligence relating to the Army, was laid before the Houſe, read, allowed, and an Order drawn on the Treaſurer for Payment thereof.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

THE Taxing of the Proprietary Eſtate with the Eſtates of the People of the Province, for their common Security in this Time of imminent Danger, ſeems to us ſo perfectly equitable and juſt, that we are ſurpriſed the Governor ſhould propoſe it as an Amendment to our Bill, that the Proprietary Eſtate be in this Inſtance exempted.

As the Occaſion urges, we are extremely deſirous to come as ſoon as poſſible to a Concluſion in the Buſineſs of this Sitting; and do therefore entreat the Governor would be pleaſed to acquaint us explicitly, whether he is reſtricted by the Proprietaries from paſſing the Bill as it ſtands in that Particular, though it were otherwiſe conſiſtent with his Judgment, ſince it will only waſte Time to endeavour to convince him of its Reaſonableneſs, if after all it will not obtain his Aſſent.

Or, if it be poſſible that ſuch Exemption of the Proprietary Eſtate from its Share in the common Expence of ſecuring the Whole, ſhould appear to the Governor a Thing right in itſelf: We would then requeſt him to favour us with the Reaſons of his Opinion, that we may take them immediately into Conſideration; for till this Matter is explained, and underſtood, we think it needleſs to conſider any other propoſed Alterations."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *David M'Connaughy* and *Derrick Hogeland* wait upon the Governor with the ſame.

Ordered, That the Committee of Accounts do enquire into the Caſe of the Road-Cutters, recommended by the Governor, and report to the Houſe what they think neceſſary to be done therein.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 6.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would take it into Conſideration, and return an Anſwer to the Houſe ſome Time this Day.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

A Letter to the Secretary from *Conrad Weiſer* was laid before the Houſe, and read.

Ordered, That *Joſeph Fox* and *William Callender* wait upon the Governor, and acquaint him, that the Houſe deſire to know, whether they may expect any Anſwer this Afternoon to their Meſſage of Yeſterday.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that the Secretary would bring down a Meſſage to the Houſe immediately.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'IN Anſwer to your Meſſage of Yeſterday, you will give me Leave to obſerve, that in the Proprietary Commiſſion appointing me to this Government, there is a Proviſo 'that nothing therein contained ſhall extend, or be conſtrued to extend, to give me any 'Power to do or conſent to any Act whereby the Eſtate or Property of the Proprietaries 'may be hurt or incumbered: And this Proviſo being contained in the Body of the 'Commiſſion from which I derive the Power of acting as Governor, it is not only the 'higheſt Prohibition to me, but any Law that I may paſs contrary to that Proviſo, I 'imagine, would be void in itſelf for want of Power in me to give it a being.

'But had I not been thus prohibited, I ſhould ſtill have thought it my Duty, to have 'excepted the Proprietary Eſtate from the Levies propoſed to be made, for the follow-'ing Reaſons;

'1. For that all Governors, whether hereditary or otherwiſe, are, from the Nature 'of their Office, exempt from the Payment of Taxes; on the contrary, Revenues are 'generally given to them to ſupport the Honour and Dignity of Government, and to 'enable them to do the Duties of their Station.

'2. For that this Exemption from Taxes ariſing from the Nature of Government is 'enforced by a poſitive Law in this Province, which expreſsly declares, that the proper 'Eſtates of the Proprietaries ſhall not be liable to Rates or Taxes.

1755. *Auguſt* 6.

'3. For that the Proprietaries, by their Governor, having conſented to a Law for 'veſting in the People the ſole Choice of the Perſons to aſſeſs and lay Taxes in the ſeve-'ral Counties, without reſerving to themſelves, or their Governor, any Negative upon 'ſuch Choice, and this Conceſſion being made with an expreſs Proviſo, that the Pro-'prietary Eſtates ſhould not be taxed, it will be very unreaſonable to empower ſuch 'Perſons by a Law, without their previous Conſent, to tax their Eſtates at Diſcretion.

'4. For that it is contrary to the conſtant Practice and Uſage in this and all the Pro-'prietary Governments upon this Continent, ſo far as I have been informed, to lay any 'Tax upon the Lands or Eſtates of the Proprietaries, exerciſing the Government by 'themſelves or their Lieutenants.

'For theſe Reaſons principally I made the Amendments, relating to the Proprietary 'Eſtate, to your Bill for giving *Fifty Thouſand Pounds* to the King's Uſe, and I hope, 'Gentlemen, they will be ſufficient to induce you to agree to thoſe Amendments. 'Were the Proprietaries now upon the Spot, I know their Love and Affection for this 'Country to be ſuch, that they would do any Thing in their Power for its Preſervation 'and Safety. But as they are not here, I have, on their Behalf, propoſed to give Lands 'Weſt of the *Allegheny* Mountains, without any Purchaſe-Money, and free from the 'Payment of Quitrents for Fifteen Years to come, and then not to exceed the com-'mon Quitrent in this Province.——The particular Quantity propoſed as an additional 'Encouragement for each Officer and Soldier is expreſſed in a Meſſage to you upon that 'Head.

Philadelphia, Auguſt 6, 1755. *ROBERT HUNTER MORRIS.*"

And the foregoing Meſſage being again read, and conſidered,

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *David M'Connaughy*, *John Smith* and *Moſes Starr* be a Committee to prepare a Draught of an Anſwer to the ſame.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 7. A Petition from ſundry Inhabitants of *Weſt-Nottingham*, in *Cheſter* County, was preſented to the Houſe and read, ſetting forth the Danger the Petitioners apprehend themſelves in ſince the late Defeat of the *Engliſh* Troops, and praying that this Houſe would take ſuch Meaſures for their Security as ſhall be judged moſt neceſſary.

Ordered to lie on the Table.

A Petition from the Inhabitants of *Eaſt-Nottingham*, in *Cheſter* County, of the ſame Purport with the foregoing, was preſented to the Houſe and read, and

Ordered to lie on the Table.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Committee appointed to prepare a Draught of an Anſwer to the Governor's laſt Meſſage, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Committee of Accounts made the following Report in Writing, *viz.*

Report from the Committee of Accounts.

WE, your Committee, in Purſuance of the Order of the Houſe, have examined the ſeveral Labourers now attending, who have been employed in clearing the Road through the Weſtern Part of this Province for the King's Service, and the Accounts not being yet come to Hand from the Commiſſioners appointed by the Governor for the Overſight thereof, are of Opinion, that each of the Labourers (whoſe Names are hereunto annexed) ſhould have the Sum of *Three Pounds* paid them in Part of their Work, until the Accounts come to Hand from the Commiſſioners; which we ſubmit to the Houſe.

EVAN MORGAN, JOSEPH STRETCH,
Philadelphia, 8th Mo. 7, JOSEPH FOX, WILLIAM CALLENDER."
1755. JAMES PEMBERTON,

The Labourers Names are as follow, *viz. Abraham Rhinchault*, *John Frederick Oder*, *John Pickner*, *Henry Nemyer*, *Henry Chriſtian Dirkhdam*, *Anthony Watter*, *Philip Petercover*, *Andreas Roaths*, *Jacob Matz*, *Godfrey Kniver*, *Paulus Poler*, *John Brightfield*, *John Griſt*, *Frederick Motzfield*, *Daniel Shiebley*, *Jerig Auncle*, *John Redcap* and *Michael Chriſtian*.

The foregoing Report being read, and conſidered, it was agreed to by the Houſe, and an Order was accordingly drawn on the Treaſurer for the Payment of the Sum of *Fifty-four Pounds* to *Joſeph Fox*, a Member of this Houſe, to be by him paid to the ſaid Road-Cutters in the Manner mentioned in the ſaid Report.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 8. The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

A Meſſage to the Governor from the Aſſembly.

May it pleaſe the GOVERNOR,

WE have conſidered the Reaſons the Governor has been pleaſed to give, in his Meſſage of the Sixth Inſtant, for exempting the Proprietaries Eſtate in the propoſed Tax:

Tax: And as they do not appear to us ſufficient, we beg Leave to offer him our Sentiments thereon in the following Remarks; 1755. *Auguſt* 8.

The Governor finds in his Commiſſion a Proviſo, "That nothing therein contained "ſhall impower him to conſent to any Act whereby the Eſtate of the Proprietaries may "be hurt or encumbered;" and this he looks upon as the higheſt Prohibition to him from paſſing the Bill propoſed. But the Intention of the Bill, may it pleaſe the Governor, is not to *hurt* or *encumber*, but to *free from Encumbrance* the Eſtate of the Proprietaries, which cannot, in our Opinion, have a worſe Encumbrance, than the Neighbourhood of ſo miſchievous an Enemy, who, as we have frequently been informed by the Governor, have taken actual Poſſeſſion of ſome Part, and lay Claim to a much greater Part of their Country. The Eſtates of the People are all on this Side the Mountains; they are as yet neither invaded nor claimed by the *French*. As Repreſentatives of the People we think it as much our bounden Duty to do nothing that may *hurt* or *encumber* the Eſtates of our Conſtituents, as the Governor can poſſibly think it his Duty with regard to the Proprietary Eſtate; yet we never conceived that giving a Part to ſave the Whole, and not only to ſave it, but to render it of double or treble Value (which muſt be the Caſe with the Proprietary Lands) could properly be called *hurting* or *encumbering* an Eſtate. And if the Governor really thought that taxing the Eſtates of the People on this Occaſion would be a Hurt to them, and not a Benefit, we imagine he ought, in Duty, to refuſe his Aſſent to that Part of the Bill as well as the other, and for the very ſame Reaſon. We for our Parts think differently, and therefore lay the Tax as chearfully on our own Eſtates as on thoſe of our Conſtituents. We know their Loyalty to their King and Love to their Country is equal to ours; we do not in the leaſt doubt their Approbation of our Conduct; and we would willingly hope the Governor might, on ſuch an Occaſion, as reaſonably expect the ſame Approbation from the Proprietaries.

For there is, may it pleaſe the Governor, in the ſame Proviſo of the Proprietary Commiſſion, an abſolute Prohibition to the Governor, "to ſett, lett, leaſe out, grant, de-"miſe or diſpoſe of any Lands, Tenements, *&c.* or to intermeddle or concern himſelf "therewith, or with any Part of the Property thereof;" yet he is pleaſed to ſay, "he "knows the Love and Affection of the Proprietaries for their Country to be ſuch, that "if they were on the Spot, they would do any Thing in their Power for its Preſerva-"tion and Safety; and therefore he, on their Behalf, propoſes to give Lands Weſt of "the *Allegheny* Mountains without any Purchaſe-Money, and free from the Payment "of Quitrents for Fifteen Years to come." It cannot but ſeem ſtrange to us, that a Tax on Part of an Eſtate for Two Years ſhould be thought to hurt it, more than giving Six or Seven Hundred Thouſand Acres of it away; or that the Governor, notwithſtanding ſo expreſs a Prohibition, ſhould think himſelf more at Liberty in this Caſe than in the other. If the Proprietaries will approve in the latter Caſe, why not in the former? And if the Grant of Lands, contrary to ſuch Prohibition, would be valid, why not the Paſſing of the Bill for a Tax? Theſe are Queſtions that we cannot ſolve, without a more particular Conſideration of the propoſed Grant of Lands Weſt of the *Allegheny* Mountains, than we ſhould have thought neceſſary, if it had not been repeatedly mentioned to us by the Governor, apparently with a View to make the Taxing of the Proprietary Eſtate on this Occaſion appear leſs reaſonable. We are ſorry therefore that we are obliged to obſerve, that the Propoſal is made in ſuch Terms as that it may be fully complied with, and yet nothing in Reality be granted. Firſt, becauſe Lands Weſt of the *Allegheny* Mountains differ greatly in their Quality, and though ſome are exceeding good, there are many Hundred Thouſand Acres that are not worth accepting; and *good Land* is not ſo much as mentioned in the Propoſal. Secondly, becauſe the beſt Lands there, are not better than Lands of *Virginia* in the ſame Neighbourhood, which may be had without Purchaſe-Money, at *Two Shillings* Sterling Quitrent, and none to be paid for Fifteen Years. But the common Quitrent in this Province is *Four Shillings* and *Two-pence* Sterling. And therefore an Offer even of the beſt Lands in thoſe Parts on that Quitrent would be neither more nor leſs than this, That for the Encouragement of ſuch as ſhall, with the Hazard of their Lives, recover the Proprietaries Country from the Enemy, he will graciously ſell them a Part of the Lands ſo recovered, at twice the Price demanded by his Neighbour. An Offer on the Proprietary's Behalf, that may indeed be ſafely made, notwithſtanding his Prohibition, and without the leaſt Danger of offending him. If the Proprietary, to encourage the Settlement of the Weſtern Frontier of his Province, and to form a Barrier for the reſt, will, *bona Fide*, grant *good Lands* on reaſonable Terms, we doubt not but the Aſſembly will give other equivalent Encouragements to the Settlers, in Proviſions, Carriages, Utenſils of Huſbandry, Cattle, and the like; but the Governor's Power to make ſuch Grants in their Behalf, at preſent not appearing to us, we muſt leave that Matter to future Conſideration.

We are however clear, that the Governor has *full Power* to paſs the Bill in Queſtion, any Prohibition, were it ever ſo expreſs from the Proprietaries, notwithſtanding. Firſt,

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1755. *August* 8.

becauſe no Prohibition of the Proprietaries can leſſen or take away from the Lieutenant-Governor any Power ſuch Lieutenant is veſted with by the Royal Charter. Secondly, for that in the Royal Charter, Section IV. the King, for himſelf, his Heirs and Succeſſors, hath "granted free, full, and abſolute Power," (not only to the Proprietary and his Heirs, but) "to his and their *Deputies* and *Lieutenants*, for the good and happy "Government of the ſaid Country, to *ordain*, make and *enact*, and under his and their "Seals to publiſh, *any Laws whatſoever*, for the *Raiſing of Money* for public Uſes, or "for any End appertaining unto the public State, *Peace* or *Safety* of the ſaid Country, "according unto *their beſt Diſcretion*, by and with the Advice, Aſſent and Approba-"tion of the Freemen of the ſaid Country, their Delegates or Deputies." And thirdly, becauſe any Prohibition from the Proprietaries, reſtraining the Legiſlative Powers granted by the Royal Charter, is ſo far from being able to render void a Law made notwithſtanding ſuch Prohibition, that the Prohibition is in itſelf void, and a mere Nullity. This is not only conſiſtent with plain Reaſon, but has been ſolemnly conſidered and determined in the former Proprietary's own Council, his Son and Heir, his faithful Secretary, the learned Judge *Mompeſſon*, and ſeveral others, diſtinguiſhed for their Abilities, being both preſent and concurring, as will, we ſuppoſe, appear on their Minutes, of which we beg Leave to give the following Extract;

The Clauſe in Colonel *Evans's* Commiſſion, *viz.* "Saving always to me and my "Heirs, our final Aſſent to all ſuch Bills as thou ſhalt paſs into Laws in the ſaid Go-"vernment," *&c.*

"In Anſwer to a Meſſage from the Aſſembly, requeſting the Council to give their "Opinion in Writing under their Hands, concerning the *Saving* or Exception in the "Proprietary WILLIAM PENN's Commiſſion to the preſent Lieutenant-Governor, *to* "*wit*, whether the ſaid Saving is void in itſelf.———And whether thoſe Bills which "the preſent Lieutenant-Governor ſhall think fit to paſs into Laws, and cauſe the ſaid "Proprietary's Great Seal to be affixed thereunto, can afterwards be vacated or annulled "by the ſaid Proprietary, without Aſſent of the Aſſembly of this Province?

"We of the Council, whoſe Names are hereunto ſubſcribed, are of Opinion, that "the ſaid *Saving* is *void in itſelf*; and that thoſe Bills which the preſent Lieutenant-"Governor ſhall think fit to paſs into Laws, and cauſe the ſaid Proprietary's Great Seal "to be affixed thereunto, *cannot afterwards be vacated* or annulled by the Proprietary, "without Aſſent of the Aſſembly of this Province."

WILLIAM PENN, junior,	GRIFFITH OWEN,
ROGER MOMPESSON,	CALEB PUSEY,
EDWARD SHIPPEN,	WILLIAM TRENT,
JOHN GUEST,	RICHARD HILL,
WILLIAM CLARK,	JAMES LOGAN."

Having thus, we hope, effectually removed the Governor's greateſt Objection to the Paſſing of our Bill, we may be ſhorter in our Obſervations on the four other Reaſons he is pleaſed to give us.

To the firſt we ſhall only ſay, that we do not propoſe to tax the Proprietary as Governor, but as a Fellow-Subject, a Landholder and Poſſeſſor of an Eſtate in *Pennſylvania*; an Eſtate that will be more benefited by a proper Application of the Tax, than any other Eſtate in the Province. The Proprietary, may it pleaſe the Governor, does *not* govern us. The Province ſupports a Lieutenant to do that Duty for him, by a large Revenue ariſing from Licences, and other Fees and Perquiſites. But if the Proprietary actually governed us, and had a Support allowed him on that Account, we ſhould not therefore think it leſs reaſonable to tax him as a Landholder, for the Security of that Land. The Repreſentatives of the People have alſo ſome Support as a Part of the Government, by the Wages they are allowed for their Service in Aſſembly; would the Governor think this a good Reaſon, that as Owners of Eſtates they ſhould be exempt from Taxes? Can the Proprietary, as Governor, have, from the Nature of his Office, more of this pretended Right of Exemption from Taxes than the King himſelf? Are not the Tenants of the King's Lands (who by every Land Tax Act of Parliament are to pay the Poundage) impowered to deduct the ſame out of their Rent? And are not the Receivers of his Majeſty's Rents obliged, under ſevere Penalties, to allow of ſuch Deduction? But this is not the firſt Inſtance by many, in which Proprietors and Governors of petty Colonies have aſſumed to themſelves greater Powers, Privileges, Immunities, and Prerogatives, than were ever claimed by their Royal Maſter on the Imperial Throne of all his extenſive Dominions.

On the ſecond it may be ſufficient to obſerve, that the poſitive Law of this Province, hinted at by the Governor as exempting the Proprietaries Eſtates from Taxes, is no other than the Law for raiſing County Rates and Levies, which are in the ſame Act appropriated to Purpoſes for which the Proprietaries could not reaſonably be charged; ſuch as the Payment of Aſſemblymens' Wages, and of the Rewards for killing of Wolves, Crows, Foxes, with other Matters more immediately for the People's Benefit; it is not,

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as the Governor would insinuate, a general constitutional Law of the Province, made to enforce a natural Right, but is confined to County Affairs, and has no Relation to Provincial Taxes, especially to such as are intended for the Benefit and Advantage of the Proprietary Estate more than of any other Estate in the Province; which will be evident to the Governor, on his perusing it with the smallest Degree of Attention. 'Tis true, it is, as the Governor calls it, a *positive Law*, so far as it extends; but to apply it to the present Case, seems inconsistent with both Equity and Reason. We have likewise a *positive Law*, that the People's Representatives shall dispose of the People's Money, and this seems to us consistent generally with Reason and natural Right; but does the Governor think, that, because it is a positive Law, it ought to be extended to all Cases in Government? If so, we humbly conceive he would have proposed some other Amendments to the Bill, and different from those he has thought fit to send us: For we, considering the Intention of the Grant, have allowed him a Share in the Disposition of the *Fifty Thousand Pounds*; and he proposes, by his last Amendment, to have a Share likewise in the Disposition of the Overplus, if any. 1755. August 8.

On the third Reason, we would only beg Leave to ask, Whether, supposing the Proprietary Estate to be taxed, it would be equitable that he should have a Negative in the Choice of the Assessors; since that would give him Half the Choice, though he were to pay perhaps not a Hundredth Part of the Tax? In our Estimation, and we think we are not mistaken, he may have Friends, Officers and other Dependents enough in every County, to vote as much in his Behalf, or more, than his Share of the Tax can possibly amount to. But if the Proprietary shrinks at the Injustice of being taxed, where he has no Choice in the Assessors, with what Face of Justice can he desire and insist on having Half the Power of disposing of the Money levied, to which he would contribute not a single Farthing? By the Words the Governor chuses to express the Power of the Assessors, *viz.* "Taxing the Proprietaries Estate *at Discretion*," one would think their Power unlimited, and the Proprietary left at their Mercy; but in the Valuation of Estates, they are confined by the Bill within certain moderate Bounds, are enjoined, and sworn, or solemnly affirmed, "to assess themselves, and all others, equally and impartially, and "to spare no Person for Favour or Affection, nor grieve any for Hatred or Ill-will;" which we think gives the Proprietary as good Security for Equity and Justice as any Subject in the King's Dominions.

As to the Governor's fourth Reason, deduced from the Usage in this and the other Proprietary Governments, we think Usage and Custom, against Reason and Justice, ought to have but little Weight. But though it may have been the Usage in this Government, and perhaps in others, to exempt the Proprietary Estate from Taxes in Cases where their Estates could not by the Application of such Taxes be any way benefited, that Usage can, as we conceive, have no Relation to the present Case, which, as we have shewn, is of a widely different Nature. Nor, if the Governor's Rule from Usage could be allowed, *viz.* *That the Lands or Estates of Proprietaries, exercising Government by themselves or their Lieutenants, ought to be exempt from Taxes*, would it operate in Favour of the Estates of Proprietaries who not only do not exercise Government by themselves, but would restrain their Lieutenants in the Exercise of the just Powers they are vested with by the Royal Charter.

On the Whole, we beg the Governor would again calmly and seriously consider our Bill, to which End we once more send it up to him. We know that without his Assent the Money cannot be raised, nor the good Ends so earnestly desired and expected from it be obtained, and we fear his Resolution to refuse it. But we entreat him to reflect with what Reluctance a People born and bred in Freedom, and accustomed to equitable Laws, must undergo the Weight of this uncommon Tax, and even expose their Persons for the Defence of *his* Estate, who by Virtue of his Power only, and without even a Colour of Right, should refuse to bear the least Share of the Burthen, though to receive so great a Benefit! With what Spirit can they exert themselves in his Cause, who will not pay the smallest Part of their grievous Expences? How odious must it be to a sensible manly People, to find *him*, who ought to be their Father and Protector, taking Advantage of Public Calamity and Distress, and their Tenderness for their bleeding Country, to force down their Throats Laws of Imposition, abhorrent to common Justice and common Reason! Why will the Governor make himself the hateful Instrument of reducing a free People to the abject State of Vassalage;—of depriving us of those Liberties, which have given Reputation to our Country throughout the World, and drawn Inhabitants from the remotest Parts of *Europe* to enjoy them? Liberties not only granted us of Favour, but of Right; Liberties which in Effect we have bought and paid for, since we have not only performed the Conditions on which they were granted, but have actually given higher Prices for our Lands on their Account; so that the Proprietary Family have been doubly paid for them, in the Value of the Lands, and in the Increase of Rents with Increase of People: Let not our Affections be torn in this Manner from a Family we have long loved and honoured! Let that novel Doctrine,

1755. *August* 8. hatched by their miſtaken Friends, "that Privileges granted to promote the Settlement "of a Country, are to be abridged when the Settlement is obtained," iniquitous as it is, be deteſted as it deſerves, and baniſhed from all our public Councils; and let the Harmony, ſo eſſential to the Welfare of both Governors and Governed, be once again reſtored; ſince it can never be more neceſſary to our Affairs than in their preſent melancholy Situation.—We hope the Governor will excuſe ſome Appearance of Warmth, in a Cauſe of all others in the World the moſt intereſting, and believe us to be, with all poſſible Reſpect and Duty to the Proprietary Family and to himſelf, his and their ſincere Friends and Well-wiſhers."

And the foregoing Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Griffith Owen* and *Samuel Brown* wait upon the Governor and deliver the ſame, together with the Bill *for raiſing* Fifty Thouſand Pounds *for the King's Uſe, by a Tax of* Twelve-pence per *Pound, and* Twenty Shillings per *Head, yearly, for two Years, on all the Eſtates, real and perſonal, and Taxables, within this Province*; and acquaint him, that the Houſe being anxious to get through the Buſineſs before them as ſoon as poſſible, deſire that he would be pleaſed to let them know his Reſult on the ſaid Bill as ſoon as conveniently he can.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait upon the Governor, report, that they had delivered the *Fifty Thouſand Pound* Bill, and the Meſſage of the Houſe, according to Order, and that the Governor was pleaſed to ſay, he thought it his Duty to give the Public Buſineſs all the Diſpatch in his Power.

The verbal Meſſage from the Governor of the Twenty-eighth of laſt Month, was again read, and conſidered, and the Houſe being informed that *Conrad Weiſer* was now attending, he was called in, and interrogated concerning the Letter ſent by himſelf, and other of the Juſtices in *Berks* County, to the Governor, relating to the *Roman Catholicks* in that County; and then was directed to withdraw.

Ordered, That *James Pemberton* and *Nathaniel Pennock* wait upon the Governor, and acquaint him, that the Houſe have this Afternoon examined *Conrad Weiſer*, and ſome of our Members have had an Opportunity of ſpeaking with another of the Juſtices of *Berks* County, who ſigned the Letter, repreſenting the State of the *Roman Catholicks* in that Neighbourhood; from which, and what further Enquiry we have made, we apprehend there is very little Foundation for that Repreſentation: Nevertheleſs, if the Governor, upon further Information, ſhould find any Aſſiſtance of ours neceſſary, we ſhall always be willing to contribute what lies in our Power for the Public Tranquillity; and in the mean Time we requeſt his Care to do therein what he ſhall think neceſſary and right, conſiſtent with the Charters and Laws of this Province, and the Safety of the People.

The Houſe taking into Conſideration the Reſolve of the Houſe at their laſt Sitting, relating to the Maintenance of the Women belonging to the Army under the Command of General *Braddock*,

Reſolved, That the Overſeers of the Poor of the City of *Philadelphia*, who undertook to provide for the ſaid Women, be directed to diſcharge ſuch of them as are capable of getting their own Living; and that this Houſe will continue to allow ſuch reaſonable Charges as the ſaid Overſeers may be put to in providing for thoſe of the ſaid Women who are now lying in, or near it, or are otherwiſe rendered incapable of getting their Livelihood, until the next Sitting of Aſſembly.

Adjournment. Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

Auguſt 9. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order.

A Letter to the Governor from the Commiſſioners for cutting the Road towards the *Ohio*, was laid before the Houſe and read, and referred to the Committee of Accounts.

Sundry Accounts from *Conrad Weiſer*, for *Indian* Expences by him paid, were laid before the Houſe and read, and referred to the Committee of Accounts.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'YOUR long Meſſage of Yeſterday is now under my Conſideration, and I ſhall give you an Anſwer to it as ſoon as I have fully weighed the ſeveral Parts of it. But 'in the mean Time I think it my Duty to remind you, that this Province is ſtill without a Militia, or the neceſſary Means of Defence, though the preſent Situation of our 'Affairs makes this more than ever neceſſary, as the Troops that his Majeſty ſent for the 'Protection of theſe Provinces have been defeated, and the *French* have now in *America* 'a large Body of regular Forces, without Doubt to carry into Execution the Plan they 'have long ſince formed of ſubjecting this Continent to their Dominion. And the Inha-'bitants from ſeveral Counties having by Petition repreſented to me the Dangers to 'which they ſtand expoſed, and declared themſelves willing and deſirous to defend themſelves,

'ſelves, I do therefore, in his Majeſty's Name, call upon you, Gentlemen, to put this 1755.
'Province into a Poſture of Defence by eſtabliſhing a Militia, (in doing which you will *Auguſt* 9.
'have a due Regard to ſcrupulous Conſciences) that this plentiful Country, ſituate in
'the Middle of the *Britiſh* Colonies, may no longer remain open to the Enemies, and
'thereby put it in their Power to make themſelves Maſters of the whole Continent.

'As I have frequently recommended this Matter to you, and have had no Anſwer
'from you, I muſt now deſire you will give me an explicit Anſwer upon the Subject.

Philadelphia, Auguſt 9, 1755. *ROBERT HUNTER MORRIS.*"

The Committee of Accounts reported, that they had examined the Account of *Robert Thompſon*, Eſq; of *Lancaſter*, for Caſh paid by him for Horſe-hire for Expreſſes, and were of Opinion, the ſame ought to be allowed; to which Report the Houſe agreed, and an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment

The Houſe met according to their Adjournment. *Auguſt* 11. *Poſt Meridiem*

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

'COLONEL *Dunbar*, the now Commander of his Majeſty's Forces to the Weſt- A Meſſage from the Governor to the Aſſembly.
'ward, by Letter of the Sixteenth of *July*, notified to me his Intention to march
'thoſe Troops to this City, deſiring me to provide Quarters for One Hundred Officers,
'and Twelve Hundred Men, and on the Firſt Inſtant informed me, that he ſhould
'begin his March from Fort *Cumberland* the next Day; and hoped every Thing would
'be ready here for the Reception of the Troops.—As it was quite uncertain what Effect
'my Letters to Colonel *Dunbar*, to poſt his Troops on the Weſtern Frontiers, would have,
'I wrote to the Mayor and Corporation of this City to provide the Quarters for the
'Men and Officers mentioned in the Colonel's Letter; to which they have anſwered,
'that they know of no Law that authoriſes them to provide Quarters for thoſe Troops,
'and therefore have it not in their Power to comply with the Directions I had given.—
'As theſe Troops are marching into this Province, and whether they come quite to this
'City or not, there will be a Neceſſity of providing proper Quarters for them, and the
'Officers that command them, I muſt recommend it to you, by a Law, to enable the
'Magiſtrates to quarter ſuch of his Majeſty's Officers and Soldiers as may march through,
'or be poſted in, any of the Counties or Diſtricts within this Province.

'This will prevent all Conteſts between the civil and military Officers, between the
'Soldiers and People, and be a great Means of preſerving the internal Peace of the
'Province.

Philadelphia, Auguſt 11, 1755. *ROBERT HUNTER MORRIS.*"

A Copy of the Anſwer of the Mayor and Corporation of the City of *Philadelphia*, mentioned in the foregoing Meſſage, was alſo laid before the Houſe, and read.

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Griffith Owen*, *Thomas Cummings*, *Calvin Cooper*, *David M'Connaughy* and *John Smith* be a Committee to prepare a Draught of a Bill for providing Quarters for ſuch of his Majeſty's Officers and Soldiers as may arrive in this Province.

A Petition from ſundry of the Road-Cutters, relating to their Accounts, was laid before the Houſe and read, and referred to the Committee of Accounts.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.* *Auguſt* 12.

GENTLEMEN,

'I AM importuned by the *Indians*, to let them know what it is this Government has A Meſſage from the Governor to the Aſſembly.
'to impart to them. If they can be made hearty for us, they may prevent a great
'Deal of Miſchief, engage other *Indians* in our Favour, and be prepared for any other
'Service that we may think proper to employ them in. To do this, will require great
'Skill, and an open Hand, for Preſents they certainly expect, and will not at this Time
'be ſatisfied with ſmall Ones.

'The *Owendaets* came on our Invitation, and ſuch Terms muſt therefore be offered
'them as will effectually engage their Friendſhip: The Matter cannot now be minced
'neither with them nor the other Nations. You will therefore pleaſe to conſider this
'Matter well, and give me your Sentiments and Counſel in this nice and critical Situa-
'tion of our Affairs.

Philadelphia, Auguſt 12, 1755. *ROBERT HUNTER MORRIS.*"

The verbal Meſſage from the Governor of the Twentieth of *December* laſt, concerning *Scaroyady's* Son-in-Law's returning to the *Ohio*, &c. was alſo read.

Ordered,

1755. *Auguſt* 12. *Ordered*, That *James Pemberton*, *William Callender*, *Joſeph Hamton*, *Nathaniel Grubb*, *James Wright*, *John Smith* and *Moſes Starr* be a Committee to prepare a Draught of an Anſwer to the Governor's laſt Meſſage, and report the ſame to the Houſe.

The Committee of Accounts reported, that they had examined the ſeveral Accounts of *Conrad Weiſer*, referred to them, and found the Sum of *One Hundred* and *Thirty-five Pounds Six Shillings* and *One Penny* due to the ſaid *Weiſer*.

The Committee of Accounts likewiſe made the following Report in Writing, *viz.*

Report from the Committee of Accounts.

YOUR Committee have, with great Attention, conſidered the Letter of the Fifth Inſtant, from the Commiſſioners appointed by the Governor to have the Overſight of cutting the Road through the Weſtern Parts of this Province for the King's Service, and are of Opinion, that the Sum of *Five Thouſand Pounds*, deſired by them to be ſent up for the ſaid Service, is a very extravagant Demand, eſpecially as ſeveral large Sums have already been advanced for that Service; and that we are informed, there is but Sixty-five Miles of the ſaid Road cut, which will make the Charge near *One Hundred Pounds per* Mile. In order to prevent Impoſition on the Public, we do report, that the ſaid Commiſſioners ſhould forthwith attend the Committee of Accounts, at *Philadelphia*, with their Accounts fairly ſtated, and proper Vouchers for the ſame, in order to be adjuſted;—or that the Houſe ſhould appoint ſome proper Perſons to attend the Settling the Accounts at *Lancaſter* or *Carliſle*, with Directions from the Houſe for that Purpoſe. All which we ſubmit to the Houſe.

Eighth Month 12, 1755. JOSEPH FOX, EVAN MORGAN,
WILLIAM CALLENDER, JOSEPH STRETCH."

A Bill for extending ſo much of an Act of Parliament, entituled, *An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters*, paſſed in the Twenty-eighth Year of the preſent Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters in that Part of *Great-Britain* called *England*, was brought in by the Committee appointed to prepare the ſame, read the firſt time, and ordered a ſecond Reading.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of this Morning, reported the ſame to the Houſe; and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

THE Secretary, by a verbal Meſſage from the Governor on the Twentieth of *December* laſt, acquainted the Houſe, "that *Scaroyady's* Son-in-Law was charged "with a Meſſage from the *Owendaets* to enquire what their Brethren the *Engliſh* de- "ſigned to do in Regard to the late Encroachments of the *French*; and having heard "ſince he came to Town that the King of *England* intended to ſend over a Number of "Troops to aſſiſt in repelling thoſe Invaders, he was willing, if the Governor thought "proper, to return to his Nation, and acquaint them with the joyful News: The "Governor therefore deſired the Opinion of the Houſe whether it would be moſt ad- "viſeable for *Scaroyady's* Son-in-Law to return now to the *Ohio*, or go to *Onondago* "with *Scaroyady*." Whereupon the Houſe gave for Anſwer, that it was their Opinion that it would be moſt proper for *Scaroyady's* Son-in-Law to return to the *Ohio* as ſoon as conveniently he could. This is all the Part our Houſe have had in Relation to the *Owendaets*; neither did we know of the leaſt Intention of inviting them, or any others; ſo that as they are now come down without our Knowledge or Requeſt, entirely upon the Governor's Invitation, it is ſome Surpriſe to us to find the *Indians* ſhould have Reaſon to importune him, or that he ſhould be at any Loſs to know what it is he has to impart to them on this Occaſion.

Our Conduct towards the *Indians* in our Alliance has been always candid, and free from any Subterfuge whatever, ſo that we do not underſtand what the Governor would mean by telling us "that the Matter cannot be now minced, neither with them nor "the other Nations." And we are likewiſe at a Loſs to conceive why they ſhould expect great Preſents from us who are wholly ignorant of the Intention of their coming.

The Governor has been pleaſed to refuſe his Aſſent to our Bills which had provided for *Indian* and other Expences, and as our Treaſury is exhauſted by the very heavy Charges for the King's Service, theſe *Indians* are come among us at a very unfortunate Time, when it is not in our Power to ſupply them in the Manner we are inclined to do; however we will do all that can be reaſonably expected from us, and muſt leave the reſt to be ſupplied by the Proprietaries, whoſe Intereſt is at leaſt as much concerned as ours in engaging the Affections of the *Indians* at this Time."

And the ſame being ſigned by the Speaker, by Order of the Houſe,

Ordered,

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Ordered, That *Joseph James* and *Moses Starr* wait upon the Governor with the same.

The Bill for extending so much of an Act of Parliament, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, passed in the Twenty-eighth Year of the present Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters in that Part of *Great-Britain* called *England*, was read the second time, and ordered to be transcribed for a third Reading.

The Gentlemen return, and report, that they had delivered the Message of the House according to Order.

Then the House adjourned to Nine o'Clock To-morrow Morning.

Adjournment

August 13.

The Bill, entituled, *An Act for extending so much of an Act*, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, passed in the Twenty-eighth Year of the present Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters in that Part of *Great-Britain* called *England*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Jonathan Ingham* and *Peter Worral* do carry up the same to the Governor for his Concurrence.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'WHEN I amended and sent down to you the Bill for raising *Fifty Thousand Pounds* for the King's Use, I expected you would have returned it to me with the Amendments, and informed me which of them you agreed to, this being the common and ordinary Method in such Cases; but you departed from this, and desired to know whether I was restrained by the Proprietaries from taxing their Estate, and the Reasons for my Opinion as to that Measure; and though this Application was unparliamentary, and I believe unprecedented, yet upon this Occasion I indulged you therein, and gave my Reasons in the mildest Terms, on which, however, you have been pleased to treat both the Proprietaries and myself in a very unbecoming Manner.

'As you have returned me the Bill without the Amendments, and in your Message that accompanied it, offer no Reasons against any of them but such as relate to taxing the Proprietary Estate, I conclude you have agreed to the others; I shall therefore consider the several Parts of your Message, and make such Observations upon, and Answer to it, as I think it merits.

'Having told you, that I had no Power by my Commission to hurt or incumber the Proprietary Estate, you take Occasion in your Answer to play with the Worts *hurt* and *encumber*, and having viewed them in different Lights, tell me, "that your Bill "is intended to free the Proprietary Estate from *Hurt* and *Encumbrance*, by removing "the *French*, and that you are as much bound not to hurt or encumber the Estates of "your Constituents, as I am with Respect to the Proprietary Estate;" and having shewn, as you think, that the Proviso in my Commission does not prohibit me in the present Case; you then proceed to reason upon the Clause itself, and after producing a very good Opinion of a former Council, Judge, and Secretary, as to a particular Saving in the late Proprietary Commission, you very roundly pronounce that Proviso to be a Nullity, and not at all binding on me.

'You must give me Leave to differ from you in Opinion as to the Force of the Words in that Clause, which, notwithstanding what you have said, have still the same plain and determinate Meaning they had before, every Tax, in my Mind, being an Encumbrance upon an Estate, from which it cannot be cleared but by the Payment of a certain Sum of Money; and I being expressly restrained by my Commission from consenting to any Act that may encumber the Proprietary Estate, every unprejudiced Person will see clearly that my Powers do not extend to the present Case, and that if I acceded to your Opinion, I should be guilty of a manifest Breach of Trust.

'As to the Validity of prohibitory Clauses in the Proprietary Commissions, I am not fortunate enough to comprehend the Force of your Reasonings upon this Head, which are drawn from the fourth Section of the Royal Charter; for though by that Charter Power is given to the Proprietaries, their Deputies and Lieutenants, to make Laws, yet it does not alter the Relation which by Law subsists between a Principal and his Deputy, the Intention of the Charter in that Particular, being no other than to impower Mr. PENN, and his Heirs, to administer the Government by his and their Lieutenant or Deputy, which being a judicial Office, he could not otherwise have done; and so far is the Charter, by its general Tenor, from making the Deputy equal to, or independent of, the Principal, that it makes the Proprietaries alone civilly answerable for what is done in the Province, whether by themselves or their Lieutenants, which would be unjust if the Lieutenant by the Charter was equal in Power, independent of, and uncontroulable by, the Person that appoints, and is answerable

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'for his Behaviour. Though I allow the Opinion produced to be good, as to the Point 'then under Conſideration, yet it is not applicable to all Caſes, which your Arguments, 'without any Foundation, ſuppoſe;——and in the preſent One there is a wide Dif-'ference, obvious to every one who conſiders them both with the leaſt Degree of At-'tention; becauſe that Saving was even reſerving a Power to the Proprietary in his own 'Perſon to repeal a Law which he by his Lieutenant had conſented to; whereas, in the 'preſent Caſe, the Reſtriction amounts to nothing more than a reaſonable Prohibition 'upon their Governors, as ſuch, from paſſing Laws to injure their Eſtates.

'I cannot help obſerving, that you formerly uſed theſe ſame Arguments againſt the 'Validity of Royal Inſtructions, and uſing them now to deſtroy the Force of Proprie-'tary Prohibitions, you would, it ſhould ſeem, be willing that the Lieutenant Gover-'nor ſhould be independent of every Body but yourſelves.

'You ſay, "That the ſame Proviſo reſtrains me from letting or ſelling the Proprie-"tary Lands, and yet I propoſe to give away Six or Seven Hundred Thouſand Acres "upon the preſent Occaſion; and ſeem vaſtly ſurpriſed, that I ſhould think myſelf re-"ſtrained from incumbering the Proprietary Lands by Act of Aſſembly, and yet at Li-"berty to give them away; for if, ſay you, the Grant of Lands, contrary to ſuch Pro-"hibition, would be valid, why not the Paſſing the Bill for a Tax?" And this you call 'a Queſtion you cannot ſolve.——It is ſomething very extraordinary, that the Repre-'ſentative Body of *Pennſylvania* ſhould know ſo little of the Affairs of the Province, as 'never to have been informed, that the Governor grants the Proprietary Lands under a 'certain Power of Attorney, regularly proved and recorded, called a Commiſſion of 'Property.———That this Power was formerly veſted in private Perſons; but for ſome 'Years paſt, has been given to the Governors; and, being the Foundation of Property, 'cannot be unknown to any the leaſt acquainted with the Circumſtances of the Pro-'vince.——And to aſk a Queſtion or two in my Turn, how could you think that the 'Lands in the Province were granted under the Powers of a Commiſſion that expreſsly 'prohibits the Granting of any? Or that the People would be ſo weak as to give Money 'for Lands, and take Titles under ſuch a defective Power? As to the Propoſal itſelf, it 'was made with a good Intention; and as I am accountable to the Proprietaries for my 'Conduct under that Commiſſion of Property, you may be aſſured I did not make it 'without proper Power to carry it into Execution; and had you raiſed Money for an 'Expedition to the Weſtward, and for encouraging Settlers, I ſhould then have made 'an Offer of the Lands by Proclamation, letting the Adventurers know, that they were 'to have the Choice of the Lands in Preference to all others, with every Thing elſe that 'could reduce the Offer to a Certainty; which there was no Neceſſity of doing in a Meſ-'ſage to you, barely mentioning the Thing, and recommending to you to grant an Aid 'to thoſe that ſhould become Settlers after the *French* were removed.

'But whatever comes from the Proprietaries, however juſt, however favourable, muſt 'be wrong, and accordingly you are determined to repreſent in that Light a Propoſal 'generous in itſelf, and intended to promote the Public Service and Safety; which may 'ſerve to ſhew the Temper of Mind you are in, but can anſwer no good Purpoſe.—— 'You ſay, Lands equally good may be had in *Virginia* for *Two Shillings* Sterling Quit-'rent, and none to be paid in Fifteen Years: It may be ſo; but how does it appear they 'are equally good? It is plain they are not equally convenient, becauſe of their greater 'Diſtance from a Market.—The Quitrent in *Virginia*, I ſuppoſe, was the ſame for-'merly that it is now, and yet very great Numbers have choſen to purchaſe Lands in 'this Province of the Proprietaries at the Rate of *Fifteen Pounds Ten Shillings per Cent*, 'and of private Men at a much higher Price, and in both Caſes under the Quit-rent of '*Four Shillings* and *Two-pence* Sterling, when they might have had them in *Virginia* 'for much leſs; and the Propoſal ought not to be conſidered by comparing it with 'other Provinces, but with the Rate that Lands have, for a Number of Years paſt, been 'ſold at in this Province; ſome of them lately in the new Purchaſe, within a few Miles 'of the *Allegheny* Mountains, and others very remote without any Road of Communi-'cation with this City, which is not the Caſe as to the Lands propoſed to be given, 'there being a very good Waggon Road thither: And notwithſtanding what you have 'ſaid upon this Head, I am convinced, that if you had enabled me, in Conjunction 'with the neighbouring Governments, to have ſent a Body of Troops into that Country, 'an Offer of Lands, upon the Terms above-mentioned, would have had very good Ef-'fects, and would have induced many to have gone and become Settlers there, that 'would not otherwiſe have thought of doing either, and by that Means have formed a 'Barrier for the Protection and Security of the Province; and therefore I cannot but be 'aſtoniſhed, that you ſhould have taken ſo much Pains to depreciate it.

'And now having effectually removed in your Judgment my greateſt Objection to 'paſſing your Bill, you proceed to conſider my Reaſons in their Order. And to the 'Firſt, that Governors, from the Nature of their Offices, are exempt from the Pay-'ment of Taxes.——You take a very nice Diſtinction between the Proprietary as Owner

'of

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of Land, and the Proprietary as Chief Governor, and say, "you do not tax him as "Governor, but as a Land-holder, and Fellow-Subject:" Though this is a Distinction that has no Existence in Law or Reason, yet I shall for the present admit it, and consider it accordingly. Have the Proprietaries a Right to vote in the Election of Representatives as Land-holders? surely not, being hereditary Governors of the Province, and having a Voice in the Legislature by their own particular Representative the Governor. How then came you by a Right to tax them as Fellow-Subjects and Landholders, seeing they had no Voice in chusing you, nor were entitled to any, though Owners of Land in every County? From the very Principles therefore of the *English* Constitution, you have no Right to tax them as Freeholders or Fellow-Subjects, as you call them: If, therefore, you tax them at all, it must be as Proprietaries and Chief Governors, which is the only Capacity by which they are connected with, or related to, the Inhabitants of this Province; and under them, in that Capacity, you derive the Power of acting as an Assembly. You cannot therefore, without inverting the Order of Things, have a Power over those from whom you and every one else in the Province derive all the Power they have.—They hold the Government and Soil of this Province under the same Grant, and the Title to both is centered in their Persons, and cannot be separated or divided without destroying their Authority. It may be very true, as you say, "that the Proprietaries do not *govern you*;" but that is not owing to any Want of legal Authority in them, but from another Cause that I need not mention here.

'The Support, as you call it, that is paid by the Province to a Lieutenant Governor, is no other than the Fees of Office, and as such are due to any One that administers the Government, and are not, what you would insinuate, given to the Lieutenant for doing the Duty of the Principal; the chief of them are Public-house Licences, which were originally granted by Charter, not by any Concession of the People (though you from Time to Time have taken it for granted to be so) and in Favour to them, as former Governors took much larger Sums for this Service, moderate Fees have been consented to be fixed by Law, as Considerations for the Business done, not as sufficient for the Support of Government; all the Fees and Perquisites whereof do not amount, *communibus Annis*, to more than a *Thousand Pounds*.

'As to the Land-tax Acts of Parliament you refer to, they may be, as you say, with respect to the Crown's Fee Farm Rents. But I do not conceive they amount to a Proof that the King pays Taxes, all Taxes whatever being paid to him; and there seems to me an Inconsistency in supposing he can both pay and receive. I take the Clause you mention to have no other Meaning than to appropriate Part of the Revenues of the Crown to one public Use, which were before appropriated to another: For I must observe to you, that the King can have no private Estate, but from the Dignity of his Office holds his Lands in Right of the Crown. And another Reason why a Poundage is collected upon the Crown's Fee Farm Rents may be, that the Land-tax should not fall heavier upon the other Lands in the same Hundreds or Districts, as the Quotas of each were long ago settled as they now stand in the King's Books, and cannot, without Confusion, be altered upon the Crown's acquiring Lands in any of them.

'And upon this you break out into a lofty Exclamation, that "this is not the first "Instance by many in which Proprietaries and Governors of petty Colonies have assumed to themselves greater Powers, Privileges, Immunities and Prerogatives, than "were ever claimed by their Royal Master on the Imperial Throne of all his extensive "Dominions." I must acknowledge, Gentlemen, that these are sounding Words; but what Instances among the many can you give of that assuming Behaviour in your present Proprietaries? Have they ever claimed any Rights or Prerogatives not granted to them by the Royal Charter, or reserved by that of their Father, under which you sit? Can you lay to their Charge, during the Course of a long Administration over you, one Act of Injustice or Severity? Have they even exercised all those Powers which by the Royal Charter they might legally do, and to which that Charter requires the People to be obedient? On the contrary, have they not given up to the People many Things they had a Right to insist on, and indulged them in every Thing that they judged for their Benefit? How just is it therefore, Gentlemen, to accuse them of assuming Powers and Prerogatives greater than their Royal Master? Would you turn your Eyes towards your own Conduct, and apply some of these significant Words to yourselves, you would find them much more applicable than they are to the Proprietaries.—— The Charter under which you act, gives you the Powers and Privileges of an Assembly, according to the Rights of the Free-born Subjects of *England*, and as is usual in any of the King's Plantations in *America*.—This, Gentlemen, is the Foundation of your Powers, which, by the Royal Charter, were to be consonant to the Laws and Constitution of *England*. But instead of confining yourselves to that which your wise Ancestors thought fully sufficient to answer the Ends of good Government, and secure the Liberties of the People, you have taken upon you great and mighty Powers, dispensed with positive Laws by the Strength of your own Orders, claim a Right to dis-

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'pose of all public Money, and of keeping your Proceedings a Secret from the Crown, 'with many others unknown to an *Engliſh* Conſtitution, and never heard of in the other 'Plantations in *America*. Who therefore can be ſo juſtly accuſed as yourſelves of aſ- 'ſuming unwarrantable Powers, greater than ever were claimed by a *Britiſh* Houſe of 'Parliament, or, to uſe your own Words, "by your Royal Maſter on the Imperial "Throne of all his extenſive Dominions," who pretends to no Powers but what the 'Conſtitution gives him, and diſclaims a Right of diſpenſing with Laws.

'To theſe Encroachments on the Conſtitution you give the ſacred Name of Privilege, 'and under the Maſk of Zeal for the Public, conceal your own Schemes, pretending 'they are all for the Benefit of the People, when they can anſwer no Purpoſe but to en- 'creaſe your own Power, and endanger the juſt Rights that the People enjoy under the 'Royal and Proprietary Charters, by making it neceſſary for his Majeſty and a *Britiſh* 'Parliament to interpoſe their Authority to ſave the Province. ——— The People have 'no Way ſo effectually to ſecure themſelves in the Enjoyment of their Liberty, as ſtrictly 'adhering to the Conſtitution eſtabliſhed by Charter, making that the Foundation and 'Standard of their Proceedings, and diſcountenancing every Deviation from it.

'The ſecond and third Reaſons given by me, and your Anſwers to them being de- 'duced from the Law for raiſing County Rates and Levies, I ſhall conſider them together.

'I do not ſee why the Proprietary Eſtate in each County is not benefited in common 'with other Eſtates, and by the ſame Means. The Proviſo therefore, relating to their 'Eſtates, was not inſerted becauſe he had no Benefit by the Money raiſed; but was pro- 'perly a Condition, upon which his Governor conſented to veſt the whole Power of 'chuſing the Tax Officers in the People, and is declarative of the Rights of his Station, 'of which the People in general might be ignorant.

'I think with you, that the Proprietary Tax would not be more than an Hundredth 'Part of the Whole, but cannot therefore admit, that if he is taxed, he ſhould be ex- 'cluded from any Voice in the Choice of thoſe impowered to tax him, or that the Votes 'of his Officers, in their own Right, can make the Aſſeſſors his Repreſentatives; nor 'can I eaſily conceive, that a Negative upon a Choice is Half the Choice, or indeed 'any Part of it; but as what you ſay upon this Head has very little argumentative Force, 'I ſhall not dwell upon it, but ſay ſomething as to the Law itſelf.

'From the Tenor of the Act it appears to me to be intended, not only for laying and 'raiſing Taxes to defray the neceſſary Charges in every County, but to ſettle the Mode 'of raiſing Money upon all Occaſions; it directs the Manner of chuſing Commiſſioners, 'Aſſeſſors, Collectors and Treaſurers, gives them particular Powers, and regulates the 'Conduct of thoſe entruſted with the Laying and Receiving Taxes. —— It is a poſitive 'and perpetual Law, and by a ſpecial Proviſo expreſsly declares the Proprietary Eſtate 'not liable to Taxes.——You yourſelves apply it to a Provincial Purpoſe by the Bill 'under Conſideration, and the apparent Reaſon why it was never applied to that Purpoſe 'before is, that no Provincial Tax has ever been laid ſince the Enacting of that Law.

'You are certainly empowered by ſome temporary Laws to diſpoſe of particular Mo- 'nies raiſed by thoſe Laws, when they come into the public Offices, and I do not know 'that this Power has been diſputed; the Legiſlature that gave thoſe Laws a Being, had 'a Right to paſs them in that Shape, and a future Legiſlature may do the ſame, if they 'think fit; but I do not conceive that you have from thoſe Laws a Right to diſpoſe of 'all Money that ſhall be raiſed, that being no Part of the Charter, but muſt depend 'upon the Legiſlature that raiſes it, who may reſerve the Diſpoſition to themſelves, give 'it to you, or any Body elſe they think fit.

'And here I cannot help taking Notice of an Expreſſion in your Meſſage, that you have 'allowed me a Share in the Diſpoſition of the *Fifty Thouſand Pounds*. ——— Is it from 'you, Gentlemen, that I derive the Right of governing this Province, or from your 'Allowance that I have a Voice in the Legiſlature? Are you the Sovereign Diſpoſers of 'Power? Have you a Right to give and take away at Pleaſure? If not, whence that 'lofty Claim of allowing your Governor a Share in the Diſpoſition of public Money? 'Is not the whole Property of the People ſubject to the Power of the Legiſlature; and 'have I not a Voice in that Legiſlature, not derived from, or dependant upon, you; and 'how came you therefore by a Right to allow me a Share in the Diſpoſition of Money, 'which cannot be raiſed without my Conſent? Such Language may poſſibly be agreeable 'to your Notions of your own ſuperlative Powers, but is not juſtified by the Conſtitu- 'tion eſtabliſhed by Charter, or any Rights properly belonging to an Aſſembly; and 'your claiming ſuch a Power, ſhews the Extenſiveneſs of your Plan, which is no leſs in 'that Reſpect, than to render yourſelves independent, and aſſume a Superiority over 'your Proprietaries and Governors; a Plan you would not fail to carry into Execution, 'were your Power equal to your Inclinations.

'The Proprietaries do not ſhrink, as you call it, at the Payment of a ſmall Sum of 'Money, nor is that the Motive for inſiſting on their Right, they having by me offered 'much more than their Proportion of this Tax can poſſibly amount to; but to preſerve

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'the Rights of their Station, which if they give up whenever they are demanded, as 'Claims will never be wanting, they will very soon be stripped of every Thing they 'have a Right to enjoy, both Power and Property.

'Your Answer to my fourth Reason admits, that taxing the Estates of Proprietaries 'is contrary to the Usage and Practice in this and other Governments, by saying, that 'Custom and Usage, against Reason and Justice, ought to have but little Weight.—— 'But I do not admit that Reason and Justice are on your Side of the Question; on the 'contrary, I think I have shewn that they are with me, and look upon the Usage and 'Custom as a strong Evidence, that the Legislatures of this and other Proprietary Go-'vernments were of my Opinion; and I am very much concerned, Gentlemen, that 'you should chuse this Time of imminent Danger, when your Country is invaded, to 'introduce a new and extraordinary Claim, to the Prejudice of Persons that are absent; 'when you know, that however right you may think it, I have it not in my Power to 'consent to it, consistent with Duty and Honour.

'As to myself, I think it necessary to say, that for the Dispatch of the Public Business 'at this critical Conjuncture, when every honest Heart should be concerned for the 'Public Service, I studiously avoided every Thing that could renew the Disputes that 'subsisted between us, and earnestly recommended the same Temper of Mind to you, 'and cannot therefore but be exceedingly surprised in Return to be thus injuriously trea-'ted, and represented as the hateful Instrument of reducing a free People to the abject 'State of Vassalage. What Grounds have you, Gentlemen, for this heavy Charge? 'What Laws of Imposition, abhorrent to common Justice and common Reason, have 'I attempted to force down your Throats? Have I proposed any Thing to you, during 'the Course of my short Administration, but to grant Supplies to the Crown adequate 'to the Exigency of the Times; to assist the King's Forces sent for our Protection; and 'to put the Province into a Posture of Defence, by establishing a Militia, which is put-'ting the Sword into the Hands of the People for their own Security? And where can 'it be trusted with more Safety to themselves? Are these Impositions, or are they ab-'horrent to common Justice and Reason? I have, it is true, refused to give my Assent 'to some Bills proposed by you, because they were contrary to the King's Instructions; 'and amended others, to make them agreeable to the Charter, and consistent with the 'Safety of the People, by lodging the Disposition of the Public Money in the Hands of 'the Legislature; and for this, which is no more than a due Obedience to the lawful 'Commands of the Crown, and the free Exercise of my Reason and Judgment in Mat-'ters of Legislation, am I branded with Infamy and Reproach, and set up as the Object 'of a People's Resentment.

'I am not, Gentlemen, conscious to myself of having done, or intended to do, any 'the least Injury to the People committed to my Charge; and the Man that has been 'oppressed or injured by me, let him stand forth and complain. Who is it in your Pro-'vince that does not enjoy the Freedom of his own religious Worship? Whose Liberty 'have I taken away? Or whose Property have I invaded? Surely if I have taken Ad-'vantage of the People's Distress, and of your Regard for your Country, to force down 'your Throats Laws of Imposition, abhorrent to Justice and Reason; if I have done or 'attempted any Thing to deprive the People of their Liberties, and reduce them to the 'abject State of Vassalage, you will be able to point out some Instances of these Things; 'and I call upon you to do it, if you can, and make good your Charge. It is not to 'the People I am hateful, Gentlemen, but to yourselves; and that for no other Reason, 'but doing the Duty of my Station, exercising my own Judgment, as a Branch of the 'Legislature, with Freedom and Independency, and keeping you, as far as it was in 'my Power, to the Duty of yours.

'Had you really any Tenderness for your bleeding Country, would you have acted 'the Part you have done? Would you have looked tamely on, and see the *French* seat 'themselves within your Borders? Would you have suffered them to encrease their Num-'bers, and fortify themselves in a Place from whence, in a few Days, they may march an 'Army among the Inhabitants? Would you have been deaf to all the affectionate Warn-'ings and Calls of his Majesty, the faithful Guardian of his People's Safety? And would 'you have refused the proper, necessary and timely Assistance to an Army, sent to protect 'these Colonies? Or would you now, when that Army is defeated, waste your Time in 'disputing about new and extraordinary Claims of your own raising, when every Head 'and Hand should be employed for the Public Safety?

'However, Gentlemen, to conclude, let me entreat you to lay aside all Heat and 'Animosity, to consider the naked and defenceless State of the Inhabitants, with a 'Temper of Mind becoming the important Occasion; to look upon the *French* and their '*Indians* as your only Enemies, and the Persons that intend to inslave you; and be as-'sured, that your Proprietaries, or Governor, have no Designs to the Prejudice of the 'People of *Pennsylvania*, but will continue to protect them in the Enjoyment of all 'their just Rights and Privileges.

Philadelphia, August 12, 1755. *ROBERT HUNTER MORRIS.*"

1755. *Auguſt* 13. The Gentlemen appointed to wait upon the Governor with the Bill relating to quartering and billeting of Soldiers, return, and report, that they had delivered the ſame according to Order.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor's Meſſage of this Morning was again read, and conſidered; and, after ſome Time ſpent therein,

Ordered, That *Evan Morgan*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Joſeph Gibbons*, *James Wright*, *David M'Connaughy* and *Moſes Starr* be a Committee to prepare a Draught of an Anſwer to the ſame, and report it to the Houſe.

Ordered, That *Evan Morgan* and *Joſeph Stretch*, wait upon the Governor with the following Meſſage, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. WE have read and conſidered the Governor's long Meſſage of this Day, and purpoſe to return a full, and we hope, a ſatisfactory Anſwer; but that the Public Buſineſs, of the greateſt Importance, may not be any longer delayed by theſe Diſputes, we take Leave to acquaint the Governor, that the Bill we have ſent up to him is a *Money Bill*, granting *Fifty Thouſand Pounds* to the King's Uſe, and we ſee no Reaſon to alter it; therefore we adhere to our Bill, and deſire the Governor will be pleaſed to give us his final Anſwer, whether he will or will not paſs it as it now ſtands.

Signed, by Order of the Houſe,

Auguſt 13, 1755. *P. M.* ISAAC NORRIS, *Speaker.*"

Adjournment *Auguſt* 14. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order.

The Secretary brought down the Bill for quartering and billeting of Soldiers, and informed the Houſe, that the Governor was ready to paſs the ſame into a Law whenever the Houſe ſhould think proper to offer it to him for that Purpoſe.

The Secretary likewiſe brought down the Bill for granting *Fifty Thouſand Pounds* to the King's Uſe, with a Meſſage from the Governor in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'HAVING amended the Bill for raiſing *Fifty Thouſand Pounds*, and not being yet 'ſatisfied that it is in my Power, or conſiſtent with my Truſt, to paſs it without 'thoſe Amendments, whatever I may be when I hear what you propoſe to ſay to me 'upon the Head, I think it neceſſary, in Anſwer to your Meſſage of Yeſterday, to in-'form you, that I do adhere to the Amendments made by me to the ſaid Bill.

Philadelphia, Auguſt 14, 1755. *ROBERT HUNTER MORRIS.*"

The Governor alſo ſent down to the Houſe, by the Secretary, another Meſſage in Writing, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'I HAVE received from Colonel *Dunbar* an Anſwer to what I wrote to him about 'poſting Part of the Troops under his Command upon the Weſtern Frontiers of this 'Province, in which he tells me, that he is willing to employ them in the beſt Manner 'he can for the Honour of his Maſter, and the Service of the Public; and encloſing 'the Opinion of a Council of War, deſiring me to meet them at *Shippenſburg*, where 'they would wait till I could join them, that proper Meaſures might be agreed upon 'for the Public Service; and I ſhould readily have gone thither for that Purpoſe, had I 'not received a Letter from General *Shirley*, in Anſwer to one I wrote him, requeſting 'his Orders for employing the Remainder of the two *Engliſh* Regiments for protecting 'the Frontiers of this and the neighbouring Provinces; in which he tells me, he thinks 'it for his Majeſty's Service to employ thoſe Troops another Way, as the populous Pro-'vinces of *Pennſylvania*, *Maryland* and *Virginia* are able to protect their own Frontiers 'upon the preſent Emergency; and therefore had ſent Orders to Colonel *Dunbar*, under 'Cover to me, to march his Troops to this City, which I have forwarded to him.

'And as the March of theſe Troops will leave the Weſtern Frontiers expoſed to the '*French* and *Indians*, I think it my Duty to communicate this Matter to you, that you 'may as ſoon as poſſible make Proviſion for the Security of the Back Inhabitants, and 'for the Subſiſtence of the Troops during their March through this Province, which 'may prevent great Miſchiefs to the People inhabiting near the Road from *Shippenſburg* 'to this Town; and I heartily recommend theſe Matters to your Conſideration.

Philadelphia, Auguſt 14, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary informed the Houſe, that the Governor had not yet received from the Commiſſioners for making the Road towards the *Ohio* any Accounts of the Expences attending

attending that Work, although he had wrote up to them some Time ago, expressly requiring the same. 1755. *August* 14.

Ordered, That the Bill for quartering and billeting of Soldiers be ingrossed.

A Petition from *William Mercer*, of *Pequea*, in the County of *Lancaster*, praying that this House would reimburse the Petitioner his Expences in coming down to this City after some *Indians* who had taken a Horse from him, was presented to the House and read, and *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Bill entituled, *An Act for extending so much of an Act of Parliament*, entituled, "*An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,*" *passed in the Twenty-eighth Year of the present Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters in that Part of* Great-Britain *called* England, being engrossed, was read, and compared at the Table.

Ordered, That *Mahlon Kirkbride* and *James Wright* do meet such Members of the Council as the Governor shall appoint to compare the said Bill with the Original; and that they wait upon the Governor, and desire to know when it will suit him to receive the House, in order to enact the same into a Law.

The Gentlemen return, and report, that they had, with a Member of Council, compared the engrossed Bill with the Original, and found them to agree; and that the Governor was pleased to say, he should be in the Council Chamber at Eleven o'Clock To-morrow Morning, in order to pass the said Bill into a Law.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *August* 15.

The Governor, by the Secretary, sent down a written Message to the House, with the Papers referred to therein, which were read, and the Message is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'THE Secretary will lay before you the Copies of sundry Petitions that have been preferred to me from the Inhabitants of several Parts of this Province, representing their naked and defenceless Condition, and praying Means may be supplied to enable them to defend themselves, which you are sensible is not in my Power to comply with.——He will also lay before you a Letter I received last Night from *John Harris*, giving an Account of a large Party of *Indians*, actually set out from the *French* Fort with Design to fall upon and destroy the Inhabitants of this and the neighbouring Provinces. You have, Gentlemen, this Piece of Intelligence as I received it, and will form your own Judgment of the Truth of it. For my Part, I think it probable, and therefore recommend it to you to take immediate Thought about it, as the Consequence will be very terrible to the Inhabitants if this Account be true, and it can do them no Injury to be upon their Guard if it should prove false.

Philadelphia, August 15, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary informed the House, that the Governor was now in the Council Chamber, ready to receive the House, in order to pass into a Law the Bill for quartering and billeting of Soldiers.

Ordered, That *Joseph Fox* and *David M'Connaughy* see the Great Seal affixed to the Law, after it shall be passed, and the same deposited in the Rolls Office.

Then the Speaker, with the whole House, waited upon the Governor.——And being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act for extending so much of an Act of Parliament*, entituled, "*An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,*" *passed in the Twenty-eighth Year of the present Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters in that Part of* Great-Britain *called* England, to which the Governor was pleased to give his Assent, by enacting the same into a Law.

The Gentlemen appointed to see the Great Seal affixed to the Law, and the same deposited in the Rolls Office, report, that they had done the same according to Order.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Report of the Committee of Accounts upon *Conrad Weiser's* Accounts was again read, and being agreed to by the House, an Order was drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

Ordered, That the Clerk do procure from the Rolls Office a certified Copy of the Commission of Property, which the present Governor has received from the Proprietaries, and bring the same to the House.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment *August* 16.

The Clerk brought to the House a Copy of the Commission of Property, according to Order, and the same being read, was ordered to be printed with the Minutes of this Sitting.

And

1756. *August* 16. Commiſſion of Property.

And the ſaid Commiſſion of Property accordingly follows, in theſe Words, *viz.*

'THOMAS PENN and RICHARD PENN, true and abſolute Proprietaries, and Governors in Chief of the Province of *Pennſylvania* and Counties of *New-Caſtle*, *Kent* and *Suſſex*, on *Delaware*, to ROBERT HUNTER MORRIS, Eſquire, Lieutenant-Governor of the ſaid Province and Counties, *Greeting*. KNOW YOU, that We repoſing ſpecial Truſt and Confidence in you, have, and each of us hath, given, granted, and committed, and by theſe Preſents DO, and each of us DOTH, give, grant, and commit unto you full Power and Authority, by Warrants, which are to be iſſued by our Secretary, under the Seal of our Land-Office of the ſaid Province, to grant unto any Perſon or Perſons lawfully claiming under our late Honoured Father WILLIAM PENN, Eſquire, deceaſed, the late Proprietary of the ſaid Province and Counties, or by any Authority deviſed by, from, or under him, or lawfully claiming under us the ſaid preſent Proprietaries, or under us and our late Brother JOHN PENN, Eſquire, deceaſed, and unto the Heirs and Aſſigns of ſuch Perſons ſo claiming for ever, any vacant Lands or Lots within the ſaid Province, according to the Terms of the original Purchaſes of ſuch Lands or Lots, they firſt paying to our Receiver General all ſuch Arrears of Rent as ought to have been paid from the Time of ſuch their original Purchaſes; AND ALSO, by Warrants to be iſſued as aforeſaid, to grant to any Perſon or Perſons who ſhall apply for the ſame, and to their Heirs and Aſſigns for ever, any vacant Lands within the ſaid Province and Counties, or any of them upon, by and under the ſame Terms, Methods, Rents and Reſervations, as have of late been uſed and practiſed in the ſaid Land-Office, but for no leſs Price, Condition, Rent or Reſervation in any wiſe; AND ALL ſuch Rents to be reſerved on all, or any of the before-mentioned Lands, are, and ſhall be, reſerved and made payable in Sterling Money, or the Value thereof, according to the Courſe of Exchange between the ſaid Province and the City of *London*, at the Times of Payment; AND with further Power alſo, by Warrants to be iſſued by our Secretary, under the Seal of our Land-Office of the ſaid Province, to grant to any Perſon or Perſons who ſhall apply for the ſame, and to their Heirs and Aſſigns for ever, any other Lands, Tenements or Hereditaments within the ſaid Province and Counties, or any of them, which at any Time heretofore have been granted out to any Perſon or Perſons by any former Proprietary or Proprietaries of the ſaid Province, or any acting under their Authority, and which already have come, or at any Time or Times hereafter ſhall or may, by Eſcheat, come or belong to us the ſaid Proprietaries, or our Heirs, whether the ſame ſhall have been, or ſhall not have been, before improved in the whole, or in any Part, upon and under the beſt Terms, Rents and Reſervations than can be obtained for the ſame, ſo as the yearly Rents to be reſerved for the ſame, be all reſerved and made payable in Sterling Money, or the Value thereof, according to the Courſe of Exchange between the ſaid Province and the City of *London* at the Time of Payment, and be not leſs than *One Halfpenny* Sterling for each Acre by the Year; AND ALSO, by Warrants to be iſſued by our Secretary, under the Seal of our Land-Office of the ſaid Province, to grant to any Perſon or Perſons who ſhall apply for the ſame, and to their Heirs and Aſſigns for ever, any Lots of Land on the Streets laid out in our Manor of *Springetſbury*, in the County of *Philadelphia*, adjoining to the City of *Philadelphia*, on the North Side thereof, which has been lately laid out into Streets, to be left for Building, upon and under the beſt Terms, Rents and Reſervations that can be obtained for the ſame, without taking any Fine or Purchaſe Money, ſo as the Yearly Rents to be reſerved for the ſame, be all reſerved and made payable in Sterling Money, or the Value thereof, according to the Courſe of Exchange between the ſaid Province and the ſaid City of *London*, at the Times of Payment, and ſhall not be leſs than *Three Shillings* Sterling *per Annum* for each Foot in Front of the ſame Lots; AND ALSO, upon Certificates being produced of the Survey of any ſuch vacant, eſcheated, or other Lands or Lots having been made by the Surveyor General, and alſo of the Conſideration-Money for ſuch vacant, eſcheated, or other Lands or Lots having been paid to the Receiver General, in ſuch Caſes where any Conſideration-Money is to be paid, to grant Letters Patent, to be prepared by our Secretary for the Time being, to ſuch Perſon and Perſons, and to their Heirs and Aſſigns for ever, for all ſuch vacant, eſcheated, and other Lands and Lots reſpectively, from Time to Time, under the Great Seal of the ſaid Province, ſuch Letters Patent to contain the reſpective Reſervations herein before directed to be reſerved in the reſpective Warrants, and to be duly recorded in the proper Office for recording Deeds in our ſaid City of *Philadelphia*; and ſuch Letters Patent, when ſo made and recorded, ſhall be deemed good, valid and effectual in Law. AND ALSO, to grant, under the Great Seal of the ſaid Province, Licences for the Erecting or Continuing Ferries within the ſaid Province and Counties, or any of them, as to you ſhall ſeem meet, but not to exceed the Term of Seven Years from the Time of granting ſuch Licences, which Licences alſo ſhall be

' recorded

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'recorded in the said Office for recording Deeds in the said City of *Philadelphia*; AND 'ALSO, in case of the Misbehaviour, Death, or voluntary Resignation of any of the 'Officers which have been, or shall be, employed in or about, or relating to the Pre-'misses, or any of them, to remove and displace any such Officer or Officers, and to ap-'point and put in any others from Time to Time into such Office and Offices until 'further Orders; YOU always taking immediately upon such Appointments good and 'sufficient Securities from the Persons so to be appointed, and from their respective 'Sureties, before such Persons shall take upon them to act, for the due and faithful 'Execution of such Offices, and for their due accounting to us, and to the Proprie-'taries for the Time being; AND ALSO, from Time to Time, whensoever you 'shall judge it to be for our Service, to inspect into the Conduct and Management of 'all or any such Officers whom it doth or may concern, and to make Report unto us 'how you shall find the same: AND ALSO, for the Purposes herein before expres-'sed, or any of them, to make Use of the Provincial, or any other Seal or Seals of the 'said Province and Counties, or of either or any of them, as shall be requisite and proper; 'AND WHAT you shall lawfully do, or cause to be done, in all or any the Pre-'misses, or the Dependencies thereof, by Virtue and in Pursuance of these Presents, 'We, and each of us, shall, and will, at all Times, hold for firm, valid and effectual, 'and as such shall and will ratify and confirm the same, under the Conditions aforesaid: 'AND KNOW YE FURTHER, that in order to prevent the great Inconvenience 'and Delay which might arise to the Business of settling and improving the said Pro-'vince and Counties in case of your Death, or ceasing to act as Lieutenant-Governor 'of the same, until some other Person shall be appointed or act as Governor; THERE-'FORE, we reposing special Trust and Confidence in the present President of our 'Council, and in the other Members of the same, HAVE, and each of us HATH, 'given, granted and committed, and by these Presents DO, and each of us DOTH, 'give, grant and commit unto the present President (if, and when, he shall act as Pre-'sident of our Council in the said Province) and unto such Person as shall from Time 'to Time act as President of our said Council upon, and immediately, or at any other 'Time after, your Decease, or ceasing to act as Lieutenant-Governor of the said Pro-'vince and Counties, and so from Time to Time when and as often, and as long as 'you shall cease to act as Lieutenant-Governor of the same, until some other Person 'shall be appointed or act as Governor (but not at any other Time or Times) full Power 'and Authority to do, execute and perform all and every or any of the Matters and 'Things for the Granting and Confirming of any Lands, Tenements or Hereditaments, or 'for the Licensing of Ferries within the said Province and Counties, or any of them, 'which you are herein before impowered and authorised to do, execute and perform in 'relation thereto, while you shall continue to act as Lieutenant-Governor of the said 'Province and Counties; AND THAT AND THOSE in the same Manner and 'Form, and subject to the same Rules, Directions and Restrictions in all Respects what-'soever, as are herein before mentioned and expressed, and as are to be observed and 'performed by you the said ROBERT HUNTER MORRIS, in granting out, or licensing 'any such Lands, Tenements, Hereditaments or Ferries; AND WHAT the said 'President of our said Council, or such other President of our said Council for the 'Time being, shall then, and at all such Times, and in such Cases, lawfully do, or 'cause to be done, in all or any the Premises, for the Granting and Confirming of any 'Lands, Tenements or Hereditaments, or for the Licensing of Ferries within the said 'Province and Counties, or any of them, by Virtue and in Pursuance of these Presents, 'we the said Proprietaries, and each of us, shall and will at all Times hold for firm, 'valid and effectual, and as such ratify and confirm the same, under the Conditions 'aforesaid. AND KNOW YE FURTHERMORE, that we the said Pro-'prietaries reposing further Trust and Confidence in the said present President, 'and in any further President of our Council in the said Province, and also in 'all others the Members of our said Council, HAVE, and each of us HATH, given, 'granted and committed, and by these Presents DO, and each of us DOTH, give, 'grant and commit unto the present President of our Council, in the said Province, 'along with any four or more other Persons, who shall, for the Time being, be of our 'said Council, and also unto such other Person as from Time to Time shall hereafter 'act as President of our said Council, from, and immediately after, or at any other 'Time after your Decease, or ceasing to act as Lieutenant-Governor of the said Pro-'vince and Counties, until some other Person shall be appointed or act as Governor, 'along with any four or more other Persons, who shall, for the Time being, be of our 'said Council from Time to Time, when and as often, and as long as you shall cease 'to act as Lieutenant-Governor of the same (but not at any other Time or Times) full 'Power and Authority, upon the Decease or voluntary Resignation of our Secretary of 'the Land-Office, for the Management of our Proprietary Land Affairs in the said Pro-'vince and Counties, and upon the Decease or voluntary Resignation of the Receiver

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' General, Surveyor General, or any other Officer or Officers appointed for the Manage-
' ment of our Proprietary Land or Revenue Affairs in the ſaid Province and Counties, to
' conſtitute and appoint new, proper, and reſponſible Perſons to execute the ſaid Of-
' fices ſo becoming vacant as aforeſaid, or any of them, until further Order, as fully as
' you the ſaid ROBERT HUNTER MORRIS are authoriſed or impowered to appoint,
' during your continuing Lieutenant-Governor of the ſaid Province and Counties, the
' ſaid Preſident and Counſellors, always taking, immediately upon ſuch Appointments,
' good and ſufficient Securities for the Perſons ſo to be appointed, and from their re-
' ſpective Sureties, for the due and faithful Execution of ſuch Offices, and for their due
' accounting to us, and to the Proprietaries for the Time being, before ſuch Perſons
' ſhall take upon them to act. IN WITNESS whereof, we have hereunto ſet our
' Hands and Seals the Sixteenth Day of *May*, in the Twenty-ſeventh Year of the Reign
' of our Sovereign Lord *GEORGE* the Second, by the Grace of God of *Great-Britain*,
' *France* and *Ireland*, King, Defender of the Faith, and ſo forth, and in the Year of
' our Lord One Thouſand Seven Hundred Fifty and Four.

THOMAS PENN. L. S.

RICHARD PENN. L. S.

' *Signed, Sealed, and delivered by the before named* THOMAS PENN,
' *and* RICHARD PENN, *in the Preſence of us,*

FERDINANDO JOHN PARIS,

ROBERT GWYN."

' *ROBERT GWYN*, of *Arundell-ſtreet*, in the *Strand*, in the Pariſh of *St. Cle-*
' *ment Danes*, in the Liberty of *Weſtminſter*, County of *Middleſex*, and Kingdom of
' *Great-Britain*, Gentleman, maketh Oath, That he was perſonally preſent as a Wit-
' neſs, and did ſee and hear THOMAS PENN and RICHARD PENN, the Perſons named
' and deſcribed in the Parchment Inſtrument in Writing, or Deed Poll or Commiſſion,
' bearing Date the Sixteenth Day of *May*, One Thouſand Seven Hundred Fifty and Four,
' hereunto annexed (with which ſaid THOMAS PENN and RICHARD PENN, this De-
' ponent hath for many Years laſt paſt been perſonally acquainted) and each of them
' duly ſign, ſeal, and, as their ſeveral and reſpective Acts and Deeds, deliver the ſaid
' hereunto annexed Parchment Inſtrument in Writing, or Deed Poll or Commiſſion;
' and thereupon *Ferdinando John Paris*, of *Surry-ſtreet*, in the *Strand*, in the aforeſaid
' Pariſh of *St. Clement Danes*, Gentleman, together with this Deponent, reſpectively
' ſubſcribed their ſeveral Names at the Foot of the ſaid annexed Parchment Inſtrument
' in Writing, or Deed Poll or Commiſſion, as Witneſſes to the Signing, Sealing and
' Delivery of the ſame by the ſaid THOMAS PENN and RICHARD PENN; and that
' the Name THOMAS PENN, unto the ſame annexed Parchment Inſtrument in Writing,
' or Deed Poll or Commiſſion, ſet and ſubſcribed as the Name of one of the two Par-
' ties executing the ſame, in ſuch Manner as the ſame now appears thereto, was and is
' of the proper Hand Writing of the before named THOMAS PENN; and that the Name
' RICHARD PENN, thereunto ſet and ſubſcribed, as the Name of the other of the two
' Parties executing the ſame in ſuch Manner as the ſame now appears thereto, was and
' is of the proper Hand Writing of the before named RICHARD PENN; and that the
' Name *Ferdinando John Paris*, thereunto ſet and ſubſcribed, as the Name of one of
' the two Witneſſes atteſting the Signing, Sealing, and Delivery of the ſame by the ſaid
' THOMAS PENN and RICHARD PENN, in ſuch Manner as the ſame now appears
' thereto, was and is of the proper Hand Writing of the before named *Ferdinando John*
' *Paris*, and was ſo thereunto ſet and ſubſcribed in this Deponent's Preſence; and that
' the Name *Robert Gwyn*, thereunto ſet and ſubſcribed, as the Name of the other of
' the two Witneſſes atteſting the Signing, Sealing, and Delivery of the ſame by the ſaid
' THOMAS PENN and RICHARD PENN, in ſuch Manner as the ſame now appears
' thereto, was and is of the proper Hand Writing of this Deponent.

Sworn the 31ſt Day of May, 1754, *before me in* London, THOMAS RAWLINSON, *Mayor.* *ROBERT GWYN."*

' TO ALL to whom theſe Preſents ſhall come, I *Thomas Rawlinſon*, Eſq; Lord
' Mayor of the City of *London*, do hereby certify, That on the Day of the Date hereof
' perſonally came and appeared before me *Robert Gwyn*, of *Arundell-ſtreet*, in the *Strand*,
' in the Pariſh of *St. Clement Danes*, in the Liberty of *Weſtminſter*, County of *Middleſex*,
' and Kingdom of *Great-Britain*, Gentleman, being a Perſon well known, and worthy
' of good Credit, and did by ſolemn Oath, which he took upon the Holy Evangeliſts

' of

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'of Almighty God, solemnly declare, testify and depose to be true, the several Matters 'and Things contained in the Affidavit hereunto annexed.

L. S. 'IN Faith and Testimony whereof, I the said Lord Mayor have caused the Seal 'of the Office of Mayoralty of the said City of *London* to be hereunto put and 'affixed, and the Parchment Instrument mentioned in the said Affidavit to be 'also hereunto annexed. Dated in *London*, the Thirty-first Day of *May*, in the 'Twenty-seventh Year of the Reign of our Sovereign Lord *GEORGE* the 'Second, by the Grace of God King of *Great-Britain*, *France* and *Ireland*, 'Defender of the Faith, and in the Year of our Lord One Thousand Seven 'Hundred and Fifty-four.

MAN.'

Recorded the 18th Day of *October*, 1754.

I Charles Brockden, *Deputy Master of the Rolls for the Province of* Pennsylvania, *and Recorder of Deeds for the City and County of* Philadelphia, *do hereby certify, that the foregoing, contained in three Half Sheets of Paper, written on both Sides each, is an Exemplification and true Copy of an original Record, remaining in the Rolls Office; as witnesseth my Hand and Seal of my Office,*

C. BROCKDEN, M. R. D.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message of the Thirteenth Instant, reported the same to the House, and the same being read, was referred for Consideration to next *Second-day*, in the Afternoon.

The Governor, by the Secretary, sent down to the House the two following Messages in Writing, with the Papers mentioned therein, which were read, and the Messages are as follow, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'BY an Extract of a Letter from Governor *Lawrence*, to Lieutenant Governor *Phips*, 'sent me by Governor *De Lancey*, I find that the *French*, at *Louisburg*, are in great 'Distress for Provisions, insomuch, that he thinks they may be reduced to the Neces- 'sity of giving up the Place to us, if a Supply can be prevented.

'I therefore recommend it to you to think of some proper Law that may most effectu- 'ally prevent their being supplied from this Province.

Philadelphia, August 16, 1755. *ROBERT HUNTER MORRIS.*"

GENTLEMEN,

A Message from the Governor to the Assembly.

'IF my Message gave you Room to think that the *Owendaets* came here on a parti- 'cular Invitation of mine, at this Time, I have led you into a Mistake. They set 'out from their Country as they have informed me on the Plan set forth in the Minutes 'of Council of the Twentieth and Twenty-fourth of *December* last, which were laid 'before you.

'The other *Indians*, at their Request, accompanied them hither as they were Stran- 'gers, and *Scaroyady* says, he has some particular Business to transact with this Govern- 'ment. I have in the Name of the Province given Thanks to the *Owendaets* for this 'kind Visit, and to those of the *Six Nations* that were with our Army in the late Action; 'assured them all of the Affections of the *English*; recommended to them to continue 'firm in their Attachment to us; and given them Room to expect some Presents as a 'Token of our Regard.

'As the Treasury is exhausted, I can only say, that I will readily pass a Bill for strik- 'ing any Sum in Paper Money the present Exigency may require; provided Funds are 'established for sinking the same in Five Years.

'The Secretary will communicate to you what was said to the *Indians* Yesterday, and 'I shall lay before you what may further pass between us, and earnestly recommend it 'to you to enable me to send these People away perfectly satisfied.

Philadelphia, August 16, 1755. *ROBERT HUNTER MORRIS.*"

The following Proposal was presented to the House, and read, *viz.*

To the Honourable HOUSE OF REPRESENTATIVES *of the Province of* Pennsylvania, *in General Assembly met, at* Philadelphia *the* 16*th Day of* August, 1755.

WE, the Subscribers observe, with great Concern, that the Governor and Assembly differ in Opinion, in respect to the Taxing the Proprietaries Estate: And lest by such Difference in Opinion the Bill for raising *Fifty Thousand Pounds* for his Majesty's Service should not take Effect.

And as the Assembly, in their Message to the Governor, seem to be of Opinion, that were the Proprietaries Lands to be taxed, the Sum would not exceed *Five Hundred Pounds.*

We,

1755. *Auguſt* 16. We, rather than the leaſt Check ſhould be given to his Majeſty's Service at this Time of imminent Danger, by a Matter ſo very trifling, do hereby promiſe and engage to pay *Five Hundred Pounds* Money of *Pennſylvania*, into the Public Stock, for the King's Uſe, in Lieu of what the Proprietaries would pay as their Part of the *Fifty Thouſand Pounds*, were their Lands to be taxed.

And as we declare the Abſence of the Honourable the Proprietaries to be our Motive for making this Propoſal, being well aſſured, that were they preſent it would have been altogether unneceſſary; and we doubt not but they will honourably acquit every Subſcriber of this Expence.

William Plumſted, —	£	50	0	0	*John Kearſley*, —	£	25	0	0
Samuel M'Call, ſen. —		25	0	0	*David Franks*, — —		10	0	0
John Wilcox, ——		25	0	0	*John Kearſley*, jun. —		7	10	0
Samuel and Archibald M'Call,		50	0	0	*John Gibſon*, — —		10	0	0
William Allen, —		100	0	0	*John Wallace*, — —		10	0	0
Thomas Cadwalader, —		15	0	0	*George Okill*, — —		10	0	0
Alexander Huſton, —		25	0	0	*Samuel Mifflin*, — —		25	0	0
Amos Strettell, —		25	0	0	*Townſend White*, — —		10	0	0
Joſeph Turner, — —		50	0	0	*Joſeph Wood*, — —		10	0	0
Joſeph Sims, — —		10	0	0	*John Bell*, — —		10	0	0

Ordered to lie on the Table.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

Auguſt 18. The Houſe met purſuant to their Adjournment.

Poſt Meridiem Sundry Letters from the Agents of this Province, at the Court of *Great-Britain*, were laid before the Houſe, and read.

The Draught of the Anſwer to the Governor's Meſſage of the Thirteenth Inſtant, was again read, and with ſome Alterations agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 19. The Speaker having requeſted *Conrad Weiſer* to make out a Liſt of ſuch Goods as he ſhould think would be an acceptable Preſent to the *Indians* now in Town; the ſaid *Weiſer* accordingly laid before the Houſe a Liſt of Goods, amounting, according to his Computation, to *Ninety-five Pounds Eight Shillings*, which he informed the Houſe would, in his Opinion, be a very ſatisfactory Preſent to the ſaid *Indians*. And it was thereupon

Ordered, That *Joſeph Stretch* and *Joſeph Fox* do purchaſe, at the Expence of this Houſe, the Goods mentioned in the ſaid Liſt, and cauſe them to be delivered to the *Indians* this Afternoon.

An Account from *John Harris*, of *Paxton*, dated *July* 30, 1755, for the Maintenance of ſundry *Indians*, was laid before the Houſe, and read, and referred to the Committee of Accounts.

A Petition from *Andrew Montour*, *Indian* Interpreter, was preſented to the Houſe, and read, ſetting forth, that the Petitioner has been in the Public Service for ſeveral Years paſt, and was in both the late unfortunate Engagements with the *French*, *to wit*, under Colonel *Waſhington* laſt Year, and under General *Braddock* this Year; that the Petitioner has thereby loſt all his Subſtance, and is now about *Eighty Pounds* in Debt; that it is well known the Petitioner was worth Money before he engaged in the Service of the Public; he therefore prays this Houſe would take his Caſe into Conſideration, and grant him ſuch Aſſiſtance as they ſhall think proper. *Ordered to lie on the Table.*

Several Accounts relating to the *Ohio* Road, ſent to the Houſe by the Secretary, were read, and referred to the Committee of Accounts.

The Governor, by the Secretary, ſent down to the Houſe, a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'I HAVE by Expreſs received Letters from General *Shirley*, wherein he acquaints me, that he has wrote to Colonel *Dunbar*, that it appears clear to him, as there will be four Months of good Weather before the Winter ſets in, that with the Number of Forces the Colonel now has, and the Aſſiſtances he may receive from the Provinces of *Pennſylvania*, *Maryland* and *Virginia*, he may yet have it in his Power to retrieve the Loſs ſuſtained by the late Defeat of Mayor General *Braddock*, by proceeding directly to *Fort Duqueſne*, and has ſent him Orders for that Purpoſe: And further ſays to me, that it will depend upon this Government, and thoſe of *Virginia* and *Maryland*, to aſſiſt Colonel *Dunbar* with Reinforcements, Proviſions, Ammunition, Artillery, Ordnance Stores, Carriages, Horſes, and all other Things to fit him out for his March, and the Service he is ordered upon; and that he has wrote to the ſame Effect to Governor *Dinwiddie*, and Governor *Sharpe*, whoſe Aſſiſtance, with that of this Province, he entirely relies upon at this extraordinary Criſis.

'I muſt therefore recommend it to you to enable me to do the ſeveral Things expected

'by

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'by the General from this Province, and that you would take this Matter immediately 'into your Consideration, and give me your Answer thereto, that I may send the same 'forward to Colonel *Dunbar*, and the Governors of *Maryland* and *Virginia*, whose Re-'solutions will in a great Measure depend on what I shall be enabled to do.

'I recommend it to you, whatever Resolutions you may come to upon this Occasion, 'to keep this Matter secret.

Philadelphia, August 19, 1755. *ROBERT HUNTER MORRIS.*"

The Proposal of sundry Inhabitants of the City of *Philadelphia*, to pay the Proprietaries Tax, being again read, and considered,

Resolved, That such a Proposal to this House is improper, as this House is destitute of the necessary Information to assess any Estate duly, and neither can nor ought to assess the Proprietaries Estate at the Sum proposed, or at any other Sum whatever; and as, in Case the Subscribers should neglect or refuse to pay the Sum subscribed, it would not be in the Power of this House, not being a Body incorporate, to sue them for the same. ——But as the House presumes that the said Proposal may have arose from the Subscribers Judgment of the Equity of taxing the Proprietaries Estate equally with all others in this Province, for their common Safety,

Ordered, That the said Proposal be sent up to the Governor as a further Security to him, in Case he should give his Assent to the Bill for raising *Fifty Thousand Pounds* for the King's Use, by a Tax of *Twelve-pence per* Pound, and *Twenty Shillings per* Head, yearly, for two Years, on all Estates, Real and Personal, within this Province.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Answer to the Governor's Message of the Thirteenth Instant, being transcribed, was read, and compared at the Table, and is as follows, *viz.* *Post Meridiem*

May it please the GOVERNOR,

Assembly's Answer to the Governor's Message of the 13th Instant.

HOW disagreeable soever the Task may be, to wade through all the Misrepresentations in the Governor's long Message of the Thirteenth Instant, a Regard to Truth, and to Truths of Importance to the Welfare of our Country, will oblige us to submit to it.

The Governor is pleased to tell us, that "when he sent down our Bill, for raising "*Fifty Thousand Pounds*, with Amendments, he expected we should have returned it "with the Amendments, and informed him which of them we agreed to, this being "the *common* and *ordinary Method* in such Cases." The Governor allows in this Message, that we have by Charter "the Powers and Privileges of an Assembly, according to "the Rights of the Freeborn Subjects of *England*, and as is usual in any of the King's "Plantations in *America*:" Now, we take it to be one of those Privileges and Powers of an Assembly, to have their Money Bills, granting Supplies to the Crown, accepted as they are tendered, if at all accepted, and that without any Proposal of Amendments. We think this is a Privilege claimed and used by the House of Commons, and as far as we know by all the Assemblies in *America*; so that it is far from being the *common* and *ordinary* Method to receive and debate on Amendments proposed by the Governor to such Bills. It is therefore without Foundation, that the Governor supposes we agreed to all the other Amendments, merely because we offered no Reasons against any of them, but that which related to taxing the Proprietary Estate. For we even made that Step of Deviation from the *common* and *ordinary* Method, entirely in Consideration that the Occasion for the Supply was *uncommon* and *extraordinary*, hoping thereby to come more speedily to a happy Conclusion in the Business of the Session, and without the least Intention that it should ever be drawn into Precedent.

The Governor still insists, that taxing the Proprietary Estate, though it be to free it from *French* Encroachments, will be an Encumbrance on that Estate. Be it so then, since the Governor will have it so, for our Differences are less about Words than Things: Does this however prove the Validity of the Prohibitory Clause in his Commission? or that it is equitable and just the Proprietary Estate alone should be exempt from a Tax which all the Estates in *Britain* and her Colonies now bear, or must bear, to free that very Estate from Encroachments and Encumbrance?

The Governor is "not fortunate enough, he is pleased to say, to comprehend the "Force of our Reasonings on this Head, that are drawn from the Fourth Section of the "Royal Charter;" which, though it gives Power to the "Proprietaries and their De-"puties and Lieutenants to make Laws, does not alter the Relation between a Prin-"cipal and his Deputy, or make the Deputy equal to, or independant of, the Prin-"cipal, *&c.*" We will therefore, for the Governor's Satisfaction, endeavour to express our Sentiments yet plainer, if possible, and enforce them farther. "The Royal Charter "grants full, free and absolute Power (not only to the Proprietary and his Heirs) but "to his and their *Deputies* and *Lieutenants*, to enact *any Laws whatsoever*, for *raising* "*Money* for the *Safety of the Country*, according to their *best Discretion*, with the Assent "of the Freemen," *&c.* But the Governor objects, notwithstanding this full and free Power granted by the Royal Charter to me as the Proprietaries Deputy, I cannot use my

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beſt Diſcretion in this Caſe, nor enact the propoſed Law, becauſe there is in my Commiſſion a Prohibitory Clauſe or *Saving* which reſtrains me; and if *I ſhould paſs it, ſuch Prohibition notwithſtanding, the Law would not be valid.* To this we anſwered, that no Prohibition of the Proprietaries can leſſen or take away from the Lieutenant Governor any Power he is veſted with by the Royal Charter; and, in Support of this, as an Argument, at leaſt to the Governor, produced to him an Opinion of the Proprietary and Governor's former Council, on the Caſe of a Proviſo or Saving in the Lieutenant's Commiſſion, that reſtrained, in Favour of the Proprietary, the Power of making Laws which is granted to the Lieutenant in the Royal Charter. This Opinion (which the Governor allows to be a good One) declares *that* SAVING *to be void in itſelf*, and that any Laws paſſed by the Lieutenant ſhall be *valid*, the Saving notwithſtanding. But the Governor would diſtinguiſh it away, by alledging, "that though the Opinion was good in that "Caſe, it is not applicable to all Caſes." If it is applicable to the preſent Caſe, it is all that is neceſſary for our Purpoſe, which was to ſhew, that a Proviſo in his Commiſſion, reſtricting the Powers granted him by Charter, was void in itſelf; and that if he paſſed a Law contrary to the Proviſo, the Law would be valid. The "Relation be-"tween the Principal and his Deputy" ſtill remains entire; the Deputy is dependant on the Principal, and may be removed by him at Pleaſure. But as the Principal cannot give Powers to the Deputy which he has not himſelf, ſo neither can he leſſen the Powers given to the Deputy by the Charter. If the Proprietary can, by Prohibitory Clauſes in his Commiſſion, reſtrain the Deputy from paſſing any one Law which otherwiſe he had Power by the Charter to paſs, he may by the ſame Rule reſtrain him from paſſing every Law, and ſo the Deputy would be no Deputy. That the Charter makes the Proprietary "civilly anſwerable for what is done in the Province by their Lieutenants," we conceive to be a Miſtake. The Proprietary is, by the Charter, made anſwerable for any Miſdemeanour that he himſelf ſhall *commit*, or by any *wilful* Default or Neglect *permit*, againſt the Laws of Trade and Navigation. But if the Deputy commits a Miſdemeanour, which the Proprietary does not *permit*, through his own *wilful Default* or *Neglect*, we preſume he is not anſwerable for ſuch Miſdemeanour by the Charter; and leſs, in Reaſon, now, than when the Charter was given; as by an Act of Parliament of later Date, every Deputy appointed by the Proprietary, muſt before he can act as ſuch, receive the Royal Approbation. The very Nature and Reaſon of the Thing, moreover, ſeems to us to ſhow, that a Deputy to do a Thing, ſhould have all the Powers of the Principal neceſſary for doing that Thing; and every *Lieutenant* or Deputy Governor, is, by the Nature of his Office, and the Reaſon of his Appointment, to ſupply or *hold the Place* of a Governor. But the Royal Charter being ſo expreſs and plain in the Point, leaves us under no Neceſſity of inveſtigating this Truth by Reaſon. Should our Conſtituents, when they choſe us to repreſent them in Aſſembly, not only inſtruct us, but *even take Bonds* of us, that we ſhould aſſent to no Law *for the better and more effectual Recovery of the Proprietary Quitrents*, if ſuch a Law were required of us, or thought neceſſary by the Governor: Would he think ſuch Prohibitions or Bonds valid? Would he not ſay they were void in themſelves, as forbidding what he thinks a juſt and reaſonable Thing, depriving us of the Right of uſing our *beſt Diſcretion*, and reſtraining the Powers granted to us by Charter. The Caſe we conceive to be the ſame with reſpect to the Proprietaries Lieutenant (who is their Repreſentative) if he is ſo reſtrained as the Governor thinks himſelf to be. "The Government, and the Exerciſe of the Government, are inſeparable," ſays Chief Juſtice *Pollexfen*, a famous Lawyer, "and wherever the Government is granted, the Exerciſe "of that Government is meant and included. If the King grant to any one the Go-"vernment of *Jamaica*, or the like," continues he, "ſure no one will ſay, that that is "not a Grant of the Exerciſe of the Government there!" And we ſuppoſe this is as good Law, with regard to the Grant of the Government of *Pennſylvania*.

The Governor is pleaſed to ſay, that he cannot help obſerving, that we formerly uſed the ſame Arguments againſt the *Validity* of Royal Inſtructions. We have all due Reſpect and Deference for Royal Inſtructions; the King has not any where a more dutiful and loyal People; but what does the Governor intend by the VALIDITY of Inſtructions? Does he mean that they are *Laws* in the Colonies? And if the Royal Inſtructions were ſuch, does it follow that Proprietary Inſtructions have the ſame *Validity?* We apprehend there may be ſome Difference, but at preſent it is not neceſſary to diſcuſs it.

For our doubting in the leaſt the Governor's Power to make the offered Grants of Land (free of Purchaſe Money and Quitrent for Fifteen Years) in the Behalf of the Proprietary, he is pleaſed to treat us with great Contempt on account of our Ignorance, obſerving, that "it is ſomething *very extraordinary*, that the Repreſentative Body of *Penn-*"*ſylvania* ſhould *know ſo little* of the Affairs of the Province, as never to have been in-"formed, that the Governor grants the Proprietary Lands under a *certain Power of At-*"*torney, regularly proved and recorded, called a Commiſſion of Property:* That this Power "was formerly veſted in private Perſons, but for ſome Years paſt has been given to the "Governors; and being the Foundation of Property, cannot be unknown to any the

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" *least acquainted* with the Circumstances of the Province. And now, continues the " Governor, to ask a Question or two in my Turn, How could you think that the " Lands in the Province were granted under the Powers of a Commission [meaning his " Commission as Lieutenant Governor] which expresly prohibits the Granting of any?" —Really we should be very ignorant indeed if we thought so; but it happens, may it please the Governor, that we are perfectly well acquainted with all these Matters, and have even now lying before us an authentic Copy of that *certain Power of Attorney, called a Commission of Property*, which, we suppose, most, who have read the Governor's Message, are persuaded gives him full Powers to make the Grants of Land, which in his Message of the Twenty-eighth past, he proposed " to make to such Persons as shall now " engage to go upon an Expedition to remove the *French* from their Encroachment on " the River *Ohio*, without any Purchase Money, and free of Quitrent for Fifteen Years." Our Copy of this Commission is taken from the Records, and certified to be a true One, under the Hand and Office Seal of the Master of the Rolls. We have examined it thoroughly to find the Powers by which those Grants were to be made, and unfortunately (we are sorry we are obliged to say it to the Governor) *there is no such Thing*; not even a Syllable of the Kind: But on the contrary, after a Power given to the Governor to grant Lands claimed by Virtue of former Purchases, there is this Clause, " And also " by Warrants to be issued as aforesaid, to grant to any Person or Persons who shall " apply for the same, and to their Heirs and Assigns for ever, any vacant Lands within " the said Province and Counties, or any of them, *upon, by and under the* SAME TERMS, " *Methods, Rents and Reservations, as have of late been used and practised in the said Land* " *Office*, BUT FOR NO LESS PRICE, CONDITION, *Rent or Reservation in any wise.*" That is, for *Fifteen Pounds Ten Shillings per* Hundred Acres, Purchase Money, and *Four Shillings* and *Two-pence* Sterling Quitrent. And now will the Governor give us Leave to ask a Question or two in *our* Turn? " How could he think that Lands might " be granted away, without any Purchase Money, and free of Quitrent for Fifteen " Years, under the Powers of a Commission which expresly forbids his granting any," *under less Price, Condition, Rent or Reservation whatsoever, than has of late been used and practised in the Land Office?* How could he think of referring us to such a Commission for his Power to make those Grants, when he knew it was never there? How could he slight his Reputation so much, as to hazard such an Imposition on the Assembly and whole Province!—one so easily detected! We make no further Remarks on this, lest we should again incur the Censure of treating our Governor in an " unbecoming Manner."

" The Proposal, however, the Governor is pleased to say, was made with a good In- " tention; and had we raised Money for an Expedition to the Westward, and for en- " couraging Settlers, he should *then* have made an Offer of the Lands by Proclamation, " letting the Adventurers know, that they were to have the Choice of the Lands, in " Preference to all others, with every Thing else that could reduce the Offer to a Cer- " tainty, which there was no Necessity of doing in a Message to us, barely mentioning " the Thing, and recommending to us to grant an Aid to those that should become " Settlers." It is remarkable how slowly and gradually this generous Offer is squeezed out. We never heard a Word of it during all the Time of General *Braddock's* Expedition, for which Recruits were raised both in this and the neighbouring Colonies, though the Governor brought over with him, and had in his Pocket all the while, that " *certain* " *Power of Attorney, called a Commission of Property*," to which we are referred for his Powers of making the Offer. But as soon as the House had voted to raise *Fifty Thousand Pounds* by a Tax on all the Estates in the Province, real and personal, down comes a Message, containing a Proposal to grant Lands to the Soldiers who should engage in the Expedition; a Proposal *made with a good Intention*, as the Governor says; that is, with an Intention to get the Proprietary Estate exempted from the Tax, by seeming to offer an Equivalent in another Manner; but worded in the most cautious Terms, as became an Offer made without Authority; and so as indeed to offer Nothing that could affect the Proprietary; for the Quitrent to be reserved, not being ascertained, but left in the Proprietary's Breast, he might, when the Patents were to issue, demand a Quitrent greater than the Worth of the Land. This being observed, and talked of, we had another Message, intimating that the Quitrent to be reserved should be only the common Quitrent of *Four Shillings* and *Two-pence* Sterling, *per* 100 Acres. But still the Land was no otherwise described than as *West of the Allegheny Mountains*; leaving the Proprietary at Liberty, after the Conquest should be made, to pick out, according to the modern Practice, all the best Lands for himself and his Friends, and offer the Adventurers such as they would be sure not to accept of under that Rent.——And this being pointed out, we are now told, " that a *future* Proclamation is to give them the CHOICE of the *best* " *Lands*; but it was not necessary to mention this to us in a Message recommending to " us the Granting an Aid to those Settlers." If we were to grant Aids to the Settlers on Proprietary Lands, was it not proper for us, as Guardians of the People, to know the Terms on which they were to *hazard their Lives*, and see that those Terms were good

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in themſelves, and the Offer duly aſcertained?——We conceive, may it pleaſe the Governor, that whenever we grant an Aid for the Encouragement of ſuch Settlers, it will be proper to have the Terms aſcertained by the ſame Law, and not left to the precarious Effect of a Proclamation thereafter to be made by a Governor, in the Proprietary's Behalf, without any apparent Power for ſo doing. If the Offer is well meant, a Law to aſcertain it cannot hurt the Proprietaries: The *Recovery of the Country*, and the *Settlement of the Lands*, are two diſtinct Things. Let us firſt join equitably in the Tax for the *Recovery*; and whenever the Governor ſhall be willing to paſs ſuch a Law, we are not averſe to giving the Propoſal of *granting Lands* a full and mature Conſideration; and affording ſuch equivalent Encouragement to Settlers, in *Proviſions*, &c. as we mentioned in our former Meſſage. But if he can paſs ſuch a Law to grant the Proprietary's Lands, contrary to the Prohibition in his Commiſſion, may he not full as well paſs the Bill for taxing the Proprietaries Eſtate?

We cannot leave this Point, without a Word or two in Juſtification of ourſelves, againſt the heavy Charge of depreciating, from a bad Temper of Mind, this *generous Offer*, that would have had ſuch *good Effects* in promoting the public Service and Safety. We would not be miſunderſtood; we look upon it that Lands may be made a valuable Encouragement, but we do not ſee any *Generoſity* in offering them to the Recoverers at *double* the Market Price.——The Encouragement to Adventurers is not diminiſhed, but rather increaſed, by our telling them where they may, for their Service in the *ſame Expedition*, have Lands equally good and more convenient on better Terms. For the *Virginia* vacant Lands are many of them nearer to navigable Water than the good Weſtern Lands of this Province, and equally well accommodated by the Waggon Road made by the late Army.——It is true, the Proprietaries Price is *Fifteen Pounds Ten Shillings per* Hundred Acres, with a Quitrent of *Four Shillings* and *Two-pence* Sterling. Numbers who imprudently made Improvements before they obtained a Title were obliged to give that Price; and the great Aſſiſtance our Loan-Office afforded, by furniſhing Money to poor People on low Intereſt, and taking it again in ſmall Payments, thereby enabling them to purchaſe Lands, an Advantage they could not have elſewhere, might encourage many to ſtay in the Country, and take up Lands on thoſe Terms. But that is now over; for the Act is near expiring, and it ſeems we are to have no more of the Kind; and when that Encouragement had its full Force, was it ever known that any People came from *Virginia* to purchaſe here, on account of the ſuperior Goodneſs or Convenience of our Lands? On the contrary, have not many Thouſands of Families gone from hence thither, and within theſe few Years ſettled fifteen or twenty new Counties in that Colony? Have not Thouſands likewiſe left us to ſettle in *Carolina?* Had not the exorbitant Price at which the Proprietaries held their Lands, and their Neglect of *Indian* Purchaſing in order to keep up that Price, driven theſe People from among us, this Province would at this Day have been in a much more flouriſhing Condition. Our Number of Inhabitants and our Trade would, in all Probability, have been double; we ſhould have been more able to defend the Proprietary's Eſtate and pay his Tax for him, and poſſibly more willing:——But they are gone, and gone for ever, and Numbers are going after them!——And if the new Politicks prevail, and our diſtinguiſhing Privileges are one by one to be taken from us, we may, without the Gift of Prophecy, venture to foretel, that the Province will ſoon empty itſelf much faſter than it ever filled.

In fine, this Offer was in Fact a mere Illuſion, intended firſt to impoſe on the Aſſembly, and then on the People; it was likewiſe to *figure with* at Home in the Eyes of the Miniſtry.——We diſcovered the Deception, and the Governor is offended that we did not keep the Secret. He is "aſtoniſhed that we ſhould depreciate an Offer which "would have had very good Effects, and induced many to have gone on the Expedi-"tion, and become Settlers, that would not otherwiſe have thought of doing either." May it pleaſe the Governor, as bad an Opinion as he is pleaſed to entertain of us, we have ſome Conſcience; and would not chuſe, by our Silence, to have any Share in the Diſappointment and other ill Conſequences which might enſue to thoſe who ſhould have gone on that vague, empty, unwarranted Offer, and not otherwiſe have thought of it. And we, in our Turn, may be *aſtoniſhed* that the Governor ſhould expect it of us.

We are in the next Place told by the Governor, "that we take a very nice Diſtinction "between the Proprietary as Owner of Land, and the Proprietary as Chief Governor, "and ſay, we do not tax him as Governor, but as a Land-holder and Fellow-Subject." Our Words are, "We do not *propoſe* to tax him as Governor, *&c.*" but the Governor by carefully omitting the Word *propoſe*, in his Quotation, gives himſelf an Opportunity of expatiating on the Abſurdity and Inſolence of our inverting the Order of Things, and aſſuming a Power to tax the Proprietaries, "under whom, he is pleaſed to ſay, we "derive the Power of acting as an Aſſembly." Had the Word *propoſe* been honeſtly left in its Place, there would have been no Room for all this Declamation; and the Demand, *How came* YOU *by a Right to tax them?* might have well been ſpared; ſince, though we as an Aſſembly have no Right to tax the Proprietary Eſtate, yet the Proprietary

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and Aſſembly together have ſurely ſuch a Right; and as he is preſent "by his own "particular Repreſentative the Governor," we may have a Right to *propoſe* ſuch a Thing to him, if we think it reaſonable. Eſpecially ſince we do not, as the Governor imagines we do, derive our Power of acting as an Aſſembly from the Proprietary, but from the ſame Royal Charter, that impowers him to act as Governor. 1755: *Auguſt* 19.

We had been told in a former Meſſage, that the Proprietary ought to be exempt from Taxes, for he was a Governor, and Governors were exempt by the Nature of their Office: We replied, that he did *not* govern us, but the Province ſupported his Lieutenant to do that Duty for him. On this the Governor now makes the following Obſervation, "It may be very true, as you ſay, that the Proprietaries do *not govern* you; but that is "not owing to any Want of a legal Authority in them, but from *another Cauſe*, that I "need not mention here." We were reproached in the Beginning of this Meſſage, as *playing with Words*; and the Governor, it ſeems, has now caught the Infection. The Reaſon we gave, why the Proprietary could not be ſaid to govern us, was a plain One; but the Governor inſinuates ſome *other Cauſe* without explaining it, that there may be Room for the Reader's Imagination to make it any Thing or every Thing that is bad. We diſlike theſe dark Innuendoes, and ſhall ſpeak our Minds openly. It may be thought rude and unpolite, perhaps, but it is at leaſt fair and honeſt, and may prevent Miſunderſtandings. If therefore the preſent Proprietaries do not govern us, it is becauſe they never aſſumed the Government in their own Perſons, but, as we ſaid before, employ a Deputy; and if the Deputy does not govern us, it is not becauſe we are ungovernable or rebellious, as he would inſinuate, nor for Want of ſufficient Power in his Hands by the Conſtitution, but becauſe he has not that *Spirit of Government*, that *Skill*, and thoſe *Abilities*, that ſhould qualify him for his Station.

The Governor is pleaſed to tell us, "That our Diſtinction between the Proprietary "as Owner of Land, and the Proprietary as Chief Governor, has no Exiſtence in Law "or Reaſon." We ſhall endeavour to ſhew him, that it exiſts in both with regard to the King, and therefore preſume it may with regard to the Proprietary. —— The Governor tells us likewiſe, as a Matter of Law, "that the King can have no private Eſtate, "but from the Dignity of his Office holds his Lands in Right of the Crown." We are not any of us Lawyers by Profeſſion, and would not venture to diſpute the Governor's Opinion, if we did not imagine we had good Authority for it: We find in *Viner's* Abridgment, an allowed Book, Title *Deſcent of Lands*, theſe Obſervations, which we hope may be ſatisfactory to the Governor in both Points. It is there ſaid, "That the "King has two Capacities, for he has two Bodies, of which the one is a Body natural, "conſiſting of natural Members, as every other Man is; the other is a Body politic, "and his Members thereof are his Subjects. He may take in his Body natural, Lands "or Tenements, as Heir to any of his Anceſtors; and alſo in this Capacity may *purchaſe* "to him and his Heirs, and his Heirs ſhall retain it, notwithſtanding that he is re"moved from the Royal Eſtate. And he may alſo take or purchaſe Lands or Tene"ments in Fee in his Body politic, that is to ſay, to him and to his Heirs Kings of "*England*, or to him and to his Succeſſors Kings of *England*; and ſo his *double Capa*"*city* remains, as it does in other Perſons who have a double Capacity, as Biſhop or "Dean, *&c.*" We preſume that our Proprietaries hold the Manors they have laid out to themſelves, and the other Lands they may have repurchaſed in their Province, in their private Capacities, as *Thomas Penn*, or *Richard Penn*, and not in their Capacity of Chief Governor.———The Governor is pleaſed to allow, "that one Reaſon, why the "King's Fee Farm Rents are taxed in *England*, may be, that the Land Tax ſhould not "fall heavier upon other Lands in the ſame Diſtrict." It ſeems to us a good Reaſon, and to hold as well in our Caſe. For ſhould the Proprietaries go on encreaſing their already enormous Eſtate, ſue and recover all their Mortgages, add Field to Field, and make Purchaſe after Purchaſe, till the Number of Freeholders in the Province is reduced to a Handful; can it be thought reaſonable that every Eſtate as it comes into their Hands ſhall be exempt from Taxes, and the Burden of ſupporting the Government, and defending the Province, thrown all upon the Remainder? And yet this muſt be the Caſe if our Diſtinction has, as the Governor ſays, "no Exiſtence in Law or Reaſon."

The Governor denies that the Fees and Perquiſites he enjoys are paid for Support of Government; they are, he ſays, "only moderate Fees conſented to be fixed by Law, "as Conſiderations for the Buſineſs done; and the Public-houſe Licences, which are "the chief of them, were originally granted by Charter." This latter Aſſertion is quite unintelligible to us. We can find no ſuch Grant in the Royal Charter, nor can we conceive how the Proprietary can grant a Fee to himſelf by his own Charter. The Governor is a Stranger here, and may be unacquainted with the Riſe and Eſtabliſhment of what is called the *Support of Government* among us. He will therefore permit us to relate it to him, as we have received it from our Anceſtors, and find Traces of it on our Records. When the firſt Settlers purchaſed Lands from the Proprietary, he demanded, beſides the Conſideration Money, that a Quitrent ſhould be reſerved and paid

1755. *August* 19. to him and his Heirs yearly for ever. They objected againſt this as a diſagreeable and unreaſonable Encumbrance; but were told, that the Proprietary being alſo Governor, though he took the Purchaſe Money for the Land as Proprietary, he reſerved the Quitrents to be paid for his Support as Governor; for that Government muſt be ſupported, and theſe Quitrents would be the moſt equal and eaſy Tax, and prevent the Neceſſity of other Taxes for that Purpoſe here, as they did in the King's Government of *Virginia*. Theſe Reaſons induced them to acquieſce in it. ——But the Proprietarys Affairs calling him to reſide in *England*, and the Quitrents, then but few, being all wanted to ſupport him there, a Lieutenant Governor became neceſſary, and alſo a Support for that Lieutenant, as the Proprietary, through the Neceſſity of his Affairs, was unable to ſupport him. The Public-houſe Licences and other Licences and Fees were pitched upon for this *ſecond* Support, and by perpetual Laws were given to the Governor for the Time being. —— But Governors, a Sort of Officers not eaſily ſatisfied with Salary, complaining that theſe were inſufficient to maintain ſuitably the Dignity of their Station, occaſional Preſents were added from Time to Time; and thoſe at Length came to be expected as of Right, which, if conceded to, and eſtabliſhed by, the People, would have made a *third* Support.——Our Situation at this Time is, that the preſent Proprietaries claim, and enjoy the Quitrents (which were the *firſt* Support) as Part of their private Eſtate, and draw them to *England* where they reſide, remote from their Government, ſupplying their Place here by a Lieutenant. The Lieutenant takes and enjoys the Licence Money, and other Perquiſites, which were the *ſecond* Support, and though he has from *Thirty Shillings* to *Three Pounds* for writing his Name only (the Secretary being paid *Six Shillings* beſides for the Licence and Seal) ſays, they are *only moderate Fees in Conſideration for Buſineſs done*. And now if we do not regularly give thoſe additional Preſents, which were only the Marks of our Good-will, and Tokens of the Satisfaction we had in a Governor's Adminiſtration, every Thing elſe that a Governor enjoys is forgot, and we are charged both at Home and Abroad with the heinous Crime of preſuming to *withhold the Support* of Government.——Thus we ſee how ſoon Cuſtom may become a Law, how thirſty a Thing Power is, and how hard to be ſatisfied. "*Claims*, as the Governor ſays, "*will never be wanting*," and if the People will give "whenever they are required" to give, they may ſoon be "ſtripped of every Thing they have a Right to enjoy."

The Governor is pleaſed to acquaint us, that all the Fees and Perquiſites of this Government do not amount, *communibus Annis*, to more than a *Thouſand Pounds*, meaning, as we ſuppoſe, Sterling Money. This the Governor enjoys fully and freely, and we never interfere in his Diſpoſition of it, any more than in the Proprietaries Diſpoſition of the Quitrents. We think this a handſome Support for a Governor; and though he calls it only moderate Fees for Buſineſs done; yet if he can earn *One Thouſand Pounds* Sterling a Year in ſuch Fees, the Buſineſs muſt certainly be a good One.

On our ſaying that ſome Proprietaries and Governors of petty Colonies aſſume more Prerogatives and Immunities than ever were claimed by their Royal Maſter, the Governor grows warm in Behalf of the Proprietaries, and demands, with all the Air of a Perſon conſcious of being in the Right, *What Inſtances can you give of that aſſuming Behaviour in your Proprietaries?* We anſwer, the preſent Inſtance; for the King does not claim an Exemption from Taxes for his private Eſtate, as our Proprietaries do.—*Have they ever claimed any Rights or Prerogatives not granted them by the Royal Charter, or reſerved by that of their Father?* Yes, the Right of being exempt from Taxes for their Eſtate in *Pennſylvania*, when all their Fellow-Subjects (for the Proprietaries are Subjects, though the Governor ſeems to diſdain the Term) both in *England* and *America*, not excepting even the Lords and Commons of Parliament, are now obliged to undergo a Tax for the *Recovery of Part* and *Defence of the reſt* of THAT VERY ESTATE. This Right is not granted them by the Royal Charter, nor could it be reſerved by *their Father's* Charter. *Can you lay to their Charge one Inſtance of Injuſtice or Severity?* This is an Act of Injuſtice and Severity, to inſiſt that the People ſhall not be allowed to raiſe Money for their own Defence, without they will agree to defend the Proprietary Eſtates gratis. If this be complied with, and the War continues, what ſhall hinder them another Year, when the *Fifty Thouſand Pounds* is expended, to require, that before we are allowed to raiſe another Sum for the ſame Purpoſe, we ſhall agree not only to *defend* their Lands, but to *plough* them: For this their Lieutenant may alledge the "*Uſage and Cuſtom*" in *Germany*, and put us in Mind, that we are chiefly *Germans*.——Who can aſſure us, that their appropriated Lands, ſo long kept untenanted and idle, are not reſerved in Expectation of ſome ſuch fortunate Opportunity? Can other Inſtances, in Anſwer to the Governor's Queſtions be neceſſary? If he thinks it *diſcreet* to inſiſt on more, they may ſoon be at his Service.

We are then deſired to turn our Eyes on our own Conduct, and charged in high Terms with "taking upon ourſelves great and mighty Powers; diſpenſing with poſi-
"tive Laws, and claiming a Right of diſpoſing of all Public Money, a Right of keep-
"ing our Proceedings a Secret from the Crown, with, as the Governor is pleaſed to
"ſay,

" ſay, *many others*, unknown to an *Engliſh* Conſtitution, and never heard of in the other " Plantations." A round Charge, but not more eaſily made than anſwered. The Governor allows, " that we have all the Powers and Privileges of an Aſſembly, according " to the Rights of the Free-born Subjects of *England*, and as is uſual in any of the " King's Plantations in *America*;" and we neither claim nor practiſe any but what is uſual in ſome or other of them. We claim no Right of diſpenſing with Laws. — The Right of diſpoſing of our own Money, we think, is a natural Right, and we have enjoyed it ever ſince the Settlement of the Province, and conſtantly been in the Exerciſe of it in every Inſtance, except perhaps in a few, where, on extraordinary Occaſions, we have choſen to make ſpecial Appropriation by a particular Law. It is alſo poſſeſſed and practiſed by ſeveral other Aſſemblies. We have moreover the Right of diſpoſing of the preſent Revenue by poſitive Laws, which have received the Royal Aſſent. This natural and legal Right, as we contend it is, was never denied us, or called in Queſtion, as we know of, but by our preſent Proprietaries. Their ever hearty Friend, the late Governor's Father, who had lived many Years among us, and was ſkilled in our Laws, in a ſolemn Speech, recorded in our Minutes, mentions this as one of our *Civil* RIGHTS, among the other Happineſſes of our Conſtitution, with which he was thoroughly acquainted. Our inſerting therefore in the Bill a Clauſe, that the Governor ſhould have a Voice in the Diſpoſition of the Money intended to be raiſed, was partly in Conſideration that the Proprietary was, by the Bill, to contribute in Proportion to his Eſtate, and to avoid unſeaſonable Diſputes;——but ſince we are daily more and more convinced that the Governor is no Friend to our Country, and takes a Pleaſure in contriving all poſſible Methods of Expence, to exhauſt our Funds, and diſtreſs our Affairs (of which the preſent exorbitant Demand of *Five Thouſand Pounds*, beſides what we have already paid, for cutting a Road, an Undertaking he engaged us in on a Computation of its coſting *Eight Hundred Pounds*, and which, if this be due, muſt coſt us about an *Hundred Pounds per* Mile) it will become us to be more particularly careful how our Public Money ſhall be expended, when the greateſt Sums which can be raiſed upon this young Colony muſt fall ſo far ſhort of what may become abſolutely neceſſary for our common Security.

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That we claim a Right of keeping our Proceedings a Secret from the Crown, another of the Governor's groundleſs Accuſations, has been twice refuted, and is yet a third time courageouſly repeated; though all the Province knows that our Votes and Proceedings are every Year printed and publiſhed, and have been ſo for theſe Thirty Years paſt and more. Equally groundleſs are the [*many others*] which the Governor forbears to particularize. Could he have thought of one that had the leaſt apparent Foundation, he would not have ſpared to mention it.

Plans and *Schemes* of *aggrandizing ourſelves* the Governor has often charged us with, and now repeats the Charge. He affects to conſider us as a permanent Body, or ſome particular Order of People in the State, capable of planning and ſcheming for their own particular Advantage, diſtinct from that of the Province in general. How groundleſs this muſt be, is eaſily conceived, when 'tis conſidered, that we are picked out from among the People by their Suffrages, to repreſent them for one Year only; which ended, we return again among the People, and others may be, and often are, choſen in our Places. No one of us knows a Day before the Election that he ſhall be choſen, and we neither bribe nor ſolicit the Voters, but every one votes as he pleaſes, and as privately as he pleaſes, the Election being by written Tickets folded up and put into a Box.——What Intereſt can ſuch a Body have, ſeparate from that of the Public? What Schemes can a Set of Men, continually changing, have, or what Plans can they form to aggrandize themſelves, or to what Purpoſe ſhould they have or form them? If the little Power allowed us by the Conſtitution was fixed in our particular Families, and to deſcend to our Heirs, as the Proprietary Power does in their Family, we might then be ſuſpected of theſe aggrandizing Plans and Schemes, with more Appearance of Probability. But if any of us had ſuch Schemes, the Want of a ſingle Vote in any Election might totally diſconcert them, there being no Tenure more precarious than that by popular Eſteem or Favour.

The Governor next conſiders what we have ſaid relating to the Act *for raiſing County Rates and Levies*, and is pleaſed to ſay, that " he does not ſee why the Proprietary " Eſtate in each County is not benefited in common with other Eſtates, and by the " ſame Means." That the Proprietaries Eſtate ſhould be excuſed in a County Rate, at leaſt ſo far as that Rate is levied for the Payment of Aſſemblymens Wages, appears to us equitable; for it would ſeem unreaſonable to tax an Eſtate to defray their Expences, if the Poſſeſſor had no Vote in chuſing a Repreſentative in that Houſe. But we conceive it is widely different in a Provincial Tax, where the common Intereſt and Security of all are concerned; and yet if the Proprietaries ſhould purchaſe Eſtates which have uſually been taxed by the County Rate and Levy Act for that Purpoſe, we preſume thoſe Eſtates ought to continue to pay their Aſſeſsments. It was the Opinion of the Sollicitor General in King WILLIAM's Time, that the Lords had no Right to vote in the Elections

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of a Commoner, becauſe they were not Contributors to the Expences of a Knight of the Shire or Burgeſs; and they were not Contributors to that Expence, becauſe they were of an other Houſe. But if they purchaſed Lands which were, before ſuch Purchaſe, chargeable with thoſe Expences, thoſe Lands ſhould, notwithſtanding that Purchaſe, continue chargeable therewith by Law; although before the Act, the Lands the Lords were ſeized of, or purchaſed, were excuſed from that Charge. But though ſuch Lands were excuſed from *theſe* Rates, will any One from thence alledge, that the Lords are exempted from paying the *national Taxes?* As for the reſt of the Expences provided for by that Act, we thought, as the Proprietary cultivated no Lands in any of the Counties, but let them lie for a Market, he had probably no Sheep that might ſuffer by Wolves, Poultry by Foxes, or Corn by Crows and Blackbirds, *&c.* and therefore might reaſonably be excuſed from thoſe Taxes that were to raiſe Money to deſtroy ſuch Vermin. But on farther Conſideration, we are willing to give up that Point to the Governor, and agree that their Eſtates may on other Conſiderations be equally benefited; concluding withal, *that they ought therefore equally to pay.* For as to the *Conditions of Conſent* the Governor mentions, they are merely imaginary, though the Governor ſpeaks of them with the ſame apparent Aſſurance as if he had the Contract between the then Governor and Aſſembly under Hand and Seal in his Poſſeſſion. The exempting Proviſo in that Act, the Governor ſays, is "declarative of the Rights of the Proprietaries *Station*, of "which the People in general might be ignorant." Be it ſo then; and let us ſee what are the Words: "*Provided alſo, that the Proprietary and Governor's proper Eſtate ſhall* "*not be liable to be rated or aſſeſſed by Virtue of* THIS *Act.*" We ſubmit. Their Eſtate muſt not be taxed by Virtue of *that* Act, for the Purpoſes intended by *that* Act: —'Tis the Right of their Station, it ſeems. But is this a Reaſon, why they ſhould not be taxed by *any other* Act for *any other* Purpoſes, or by another Act for the ſame Purpoſes, when it ſhall become reaſonable and neceſſary?

There is in the ſame Act an Exemption from the ſame Tax, of all "unſettled Tracts "or Parcels of Land," belonging to any Perſon whatſoever. Is this too, "*declarative* "*of the Right of ſuch Landholders Station,*" and does it expreſsly declare, that thoſe Gentlemen are "*not liable to Taxes?*" If ſo, why did not the Governor object to that Part of our Bill likewiſe, which propoſes to tax all located Lands, on this Occaſion, whether ſettled or unſettled. Thoſe plain Words, *The Proprietary Eſtate ſhall not be liable to be rated by Virtue of* THIS *Act*, muſt be ſtretched on the Rack before they can be extended, as the Governor extends them, to a general Declaration, "*that the Pro-* "*prietary Eſtate is not liable to Taxes.*" But he is a dexterous Diſputer, and can at Pleaſure change the Meaning of the plaineſt Words, and make them ſignify more or leſs, as it ſuits his Purpoſe.——As, for another Inſtance, we had aſked this Queſtion, "Whether, "ſuppoſing the Proprietary Eſtate to be taxed, it would be equitable that he ſhould "have a Negative in the Choice of the Aſſeſſors, ſince that would give him *Half* the "Choice, though he were to pay perhaps not a *Hundredth Part* of the Tax?" The Governor eagerly lays hold of theſe very looſe and uncertain Words ["though he *were* "to pay PERHAPS not a Hundredth Part"] which are introduced merely for the Argument Sake, and conſtrues them into a *Determination* of what would be the Proprietaries Proportion, which he is pleaſed to agree to, by telling us, "*I think* WITH YOU "*that the Proprietary Tax would not be more than a Hundredth Part of the Whole,*" when 'tis plain we had no Thought at all of fixing any Proportion to be paid by the Proprietary Eſtate, or any other Eſtate, being deſtitute of the proper Informations, and having by the Bill left that Matter to the Commiſſioners and Aſſeſſors, who were to have before them the Conſtables Returns, and to be ſworn, or ſolemnly affirmed, to do equal Juſtice, after informing themſelves of the Value of Eſtates in the beſt Manner they could, by all the Means in their Power. But had we mentioned *Thouſandth* or *Ten Thouſandth* Part, we make no Doubt the Governor would have been complaiſant enough to *think with us* in that Particular, though we ſhould differ in every Thing elſe.

The Governor "cannot eaſily conceive," he is pleaſed to ſay, "that a Negative "upon a Choice is Half that Choice, or indeed any Part of it." We think a Negative may be in Effect more than Half the Choice, and even amount to the Whole, if it be repeated till there is no Choice left but that which the Poſſeſſor of the negativing Power chuſes. The Peers of *Great-Britain* have no Vote, nor can they intermeddle in the Election of a Commoner; and yet the Commons claim it as a fundamental Right to ſubject their Eſtates to Taxes by a Bill, the Whole of which the Lords muſt either refuſe or paſs. And that auguſt Body, who contribute ſo largely to the Public Stock, acquieſce in it as a ſufficient Security for their Eſtates. But our Proprietaries are unhappily of different Sentiments, and cannot think themſelves ſafe, unleſs their whole Eſtate here be entirely exempted, and the Burden of defending it become an additional Weight to the Taxes on our Mother County, and on the Freemen of this and the neighbouring Colonies.

The Governor is grievouſly offended at an Expreſſion in our Meſſage, that we have in our

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our Bill ALLOWED *him a Share* in the Disposition of the *Fifty Thousand Pounds*; and thunders over us in a Storm of angry Questions, "Is it from *you*, Gentlemen, that I "derive the Right of governing this Province, or from your *Allowance* that I have a "Voice in the Legislature? Are you the sovereign Disposers of Power? Have *you* the "Right to give and take away at Pleasure? If not, Whence that lofty Claim of *allow-* "*ing* your Governor a Share in the Disposition of the Public Money?"——If the Governor will but have a little Patience, we shall endeavour, by a few cool sober Questions, to explain this Matter to him as well as we are able. Are not all Money Bills to take their rise in the House? Can he possibly have any Share in the Disposition of public Money if it is not raised? and can it be raised without our Allowance? Has the Governor a Right to make any Amendments to a Money Bill? If, therefore, a Clause is put into such Bill, giving him a Voice in the Disposition of our Money, must not such Clause be first *allowed* by us to be inserted? To what Purpose then were all those haughty Questions! We shall answer them in few Words. We *are not* "the sovereign "Disposers of Power;" nor does the Governor "derive *from us* the Right of govern- "ing this Province:" It were a vain Thing in us to say it, since his being our Governor would alone be a sufficient Proof to the contrary.

The Governor is pleased to say, that he studiously avoided every Thing that could renew the Disputes subsisting between us; and earnestly recommended the same Temper of Mind to us. This may be right, so far as relates to his first Speech at the Opening of the Session; but in his Amendments to our Bill, it appeared to us, that he studiously proposed every Thing that he thought could disgust us, in Hopes of engaging us in some other Dispute than that on taxing the Proprietaries Estate, and of making the Bill with the Session ineffectual and abortive. Why else, among other Things, did he strike out that harmless Part of the Preamble, which gave as a Reason for the Bill, the Exhausting of our Treasury by our late expensive Grants of Provisions, *&c.* to the King's Use. He did not chuse the Bill should mention any Thing we had done, lest by that Means it should reach the Royal Ear, and refute his repeated Accusations that we "had done "nothing, nor would do any Thing, for the Defence of the Country;" when he knows in his Conscience we have given all in our Power; and it was well we had it in our Power to give something, otherwise neither the *British* nor *New-England* Troops would have had the Provisions we furnished; for could the Governor possibly have done it, we have Reason to believe he would have defeated our Grant: He can no more bear to let us *do* any Thing commendable, than he can bear to *hear* what we have done mentioned.

It is true, the Governor recommended a good Temper of Mind to us: He can make plausible Speeches, that will read well in other Places where his Conduct is not known. Indeed they appear not so much to be made for us as for others; to shew the Ministry at Home his great Zeal for his Majesty's Service and Concern for the Welfare of this People! and to recommend himself, as it should seem, to some better Post hereafter, rather than to obtain the present Points that seem to be persuaded. For of what Avail are the best Speeches, not accompanied with suitable Actions? He has recommended *Dispatch* in very good Words, and immediately hatched some Dispute to occasion *Delay*. He can recommend *Peace* and *Unanimity* in fine and moving Language, and immediately contrive something to provoke and excite *Discord*; the settled Scheme being, not to let us do any Thing that may recommend us to those with whom he would ruin us.—— He would appear to be in great Earnest to have something done, and spurs violently with both Heels, but takes Care at the same Time to rein-in strongly with both Hands, lest the Public Business before us should go forward.—— When we offered him to raise Money on the Excise, a Method long in Use, and found easy to the People, he quarrelled with us about the Time of extending the Act, complained it would raise too little, and yet was for shortening the Term. Obsolete Instructions were mustered up against it, though Acts of the same Kind had been since passed by the Crown. Acts of Parliament made for other Colonies were to be enforced here, and the like. Then he called out for a Tax, which the Proprietaries themselves (in their Answer to our Representation) allowed to be the most equitable Way of raising Money; thinking, it is like, that we should never agree to a Tax. But now when we offer an equitable Tax on all Estates real and personal, he refuses that, because the Proprietaries are to be taxed!

The Governor thinks himself injuriously treated by our Request, "that he would not "make himself the hateful Instrument of reducing a free People to the abject State of "Vassalage," and asks, "What Grounds have you, Gentlemen, for this heavy Charge? "What Laws of Imposition, abhorrent to common Justice and common Reason, have I "attempted to force down your Throats? *&c.*"——A Law to tax the People of *Pennsylvania* to defend the Proprietary Estate, and to exempt the Proprietary Estate from bearing any Part of the Tax, is, may it please the Governor, a Law *abhorrent to common Justice, common Reason*, and *common Sense*. This is a Law of Imposition, that the Governor would force down our Throats, by taking Advantage of the Distress of our Country, the Defence of which he will not suffer us to provide for, unless we will comply

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with it.——Our Souls riſe againſt it. We cannot ſwallow it.——What other Inſtance would the Governor deſire us to give of his endeavouring to reduce us to a State of Vaſſalage? He calls upon us for an Inſtance. We give him the very Law in Queſtion, as the ſtrongeſt of Inſtances. Vaſſals muſt *follow* their Lords to the Wars in Defence of their Lands; our Lord Proprietary, though a Subject like ourſelves, would *ſend* us out to fight *for* him, while he keeps himſelf a thouſand Leagues remote from Danger! Vaſſals fight at their Lords Expence, but our Lord would have us defend his Eſtate at our own Expence! This is not merely Vaſſalage, it is worſe than any Vaſſalage we have heard of; it is ſomething we have no adequate Name for; it is even more ſlaviſh than Slavery itſelf. And if the Governor can accompliſh it, he *will be* deemed the hateful Inſtrument (how much ſoever he is diſguſted with the Epithet) as long as Hiſtory can preſerve the Memory of his Adminiſtration. Does the Governor think to exculpate himſelf, by calling upon us to prove him guilty of Crimes we have never charged him with? *Whoſe Liberty have I taken away? Whoſe Property have I invaded?* If he can force us into this Law, the Liberty and Property, not only of one Man, but of all the Men in the Province, will be invaded and taken away; and this to aggrandize our *intended Lord*, encreaſe and ſecure his Eſtate at our Coſt, and give him the glorious Privilege that no *Britiſh* Nobleman enjoys, of having his Lands free from Taxes, and defended gratis. But what is the Loſs of even Liberty and Property, compared with the Loſs of our good Name and Fame, which the Governor has, by every Artifice, endeavoured to deprive us of, and to ruin us in the Eſtimation of all Mankind. Accuſations ſecretly diſperſed in the neighbouring Provinces and our Mother Country; nameleſs Libels put into the Hands of every Member of Parliament, Lords and Commons! But theſe were modeſt Attacks compared with his public Meſſages, filled with the moſt ſevere and heavy Charges againſt us, without the leaſt Foundation; ſuch as thoſe in his Meſſage of the Sixteenth of *May* laſt; ſome of which, though then fully refuted, he now ventures to renew, by exclaiming in theſe Terms. "Had you any Regard for your bleeding Country, would "you have been *deaf* to all the affectionate Warnings and Calls of his Majeſty? and "would you have *refuſed* the proper, neceſſary and timely Aſſiſtance to an Army ſent "to protect theſe Colonies?" For is it not well known that we have eſſayed every Method, conſiſtent with our Rights and Liberties, to comply with the Calls of the Crown, which have frequently been defeated either by Proprietary Inſtructions or the Perverſeneſs of our Governor? Did we not ſupply that Army plentifully with all they aſked of us, and even more than all? in Teſtimony of which, have we not Letters from the late General, and other principal Officers, acknowledging our Care, and thanking us cordially for our Services? Theſe Things are well known here: But there is no Charge that the Governor cannot allow himſelf to throw out againſt us, ſo it may have the leaſt Chance of gaining ſome ſmall Credit ſome where, though of the ſhorteſt Continuance.

In Fine, we are ſincerely grieved at the preſent unhappy State of our Affairs; but muſt endeavour patiently to wait for that Relief which Providence may, in due Time, think fit to favour us with, having, if this Bill is ſtill refuſed, very little farther Hopes of any Good from our preſent Governor."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Derrick Hogeland* and *John Wright* do wait upon the Governor, and deliver the ſame, together with the Bill for granting *Fifty Thouſand Pounds* to the King's Uſe, the Propoſal for paying the Proprietaries Tax, and the two following Meſſages, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

SEVERAL Gentlemen, Inhabitants of this City, "obſerving with Concern, that "the Governor and Aſſembly differ in Opinion, in reſpect to taxing the Proprietary "Eſtate, leſt by ſuch Difference in Opinion the Bill for raiſing *Fifty Thouſand Pounds* "for his Majeſty's Service ſhould not take Effect, —— rather than the leaſt Check "ſhould be given to his Majeſty's Service at this Time of imminent Danger by a Sum "ſo very trifling as they apprehend the Proprietary's Share of the Provincial Tax might "amount to, have petitioned our Houſe, and engaged to pay *Five Hundred Pounds* in "Behalf of the Proprietaries, into the Public Stock for the King's Uſe; being well aſ-"ſured (as they alledge) that it would have been altogether unneceſſary were the Pro-"prietaries themſelves preſent; and that they do not doubt they will honourably ac-"quit every Subſcriber of that Expence." May it pleaſe the Governor, the Preſumption that it will be agreeable to our Proprietaries, and their apparent Intereſt, to pay their proportionable Part of this burdenſome but neceſſary Tax, muſt ariſe from the ſuppoſed Equity of levying it upon their Eſtates as well as all others within this Province; and therefore as we have no Power to compound for the Share any Eſtate ſhall pay, which is to be determined equitably by Aſſeſſors, under their Qualifications, and as we are not an incorporated Body to ſue or be ſued, we herewith ſend their Petition, and the reſpective Sums for which they have ſubſcribed, amounting to *Five Hundred* and

Two

Two Pounds Ten Shillings, as a further Security to the Governor, not doubting those Gentlemen are legally bound, and that their Estates are sufficient to discharge their Contracts. And under this further Security, we hope the Governor will now chearfully give his Assent to our Bill. 1755. *August* 19.

Signed by Order of the House,

August 19, 1755. *A. M.* ISAAC NORRIS, *Speaker.*"

May it please the GOVERNOR,

WE have considered the Governor's Message of this Day, relating to the Orders sent by General *Shirley* to Colonel *Dunbar*; and are of Opinion, that the Bill herewith sent up to the Governor, may, if he thinks fit to give it his Assent, enable him to do every Thing that can reasonably be expected from this Government on this Occasion. We therefore once more earnestly request him to enact it into a Law. A Message to the Governor from the Assembly.

Signed by Order of the House,

August 19, 1755. ISAAC NORRIS, *Speaker.*"

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Bill for granting *Fifty Thousand Pounds* for the King's Use, the three Messages of the House, and the Proposal for paying the Proprietaries Tax, report, that they had delivered the same according to Order. *August* 20.

An Account from *Robert Thompson*, Esq; of *Lancaster*, for Cash paid by him for Horse-hire, for an Express sent by the Governor to Colonel *Dunbar*, amounting to *One Pound Ten Shillings*, was laid before the House and read, and allowed; and an Order was drawn on the Treasurer for Payment of the same.

An Order was likewise drawn on the Treasurer for the Payment of *Ten Pounds Seven Shillings* and *Four-pence* to *Conrad Weiser*, being the Balance of an Account allowed by the House in *December* last.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Governor's Message of the Sixteenth Instant, relating to the Exportation of Provisions to the *French*, being again read, and considered,

Ordered, That *James Pemberton*, *Benjamin Franklin*, *Mahlon Kirkbride* and *George Ashbridge* be a Committee to prepare a Draught of an Answer to the same.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message relating to the Exportation of Provisions to the *French*, reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

The Message to the Governor being transcribed, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

WE have considered the Governor's Message of the 16th Instant, with the Extract from Governor *Lawrence's* Letter to Governor *Phips*, in which it is observed, "That if the excellent Laws prohibiting the Transportation of Provisions to *Louisburg* "continue in Force for two Months longer, there is a Probability that the Governor "of that Place will be obliged to present the Keys of the Garrison to Mr. *Boscawen*." And our Governor is pleased to recommend it to us, to think of some proper Law that may most effectually prevent their being supplied from this Province:——But as an Act passed this House, and received the Governor's Assent, at our last Sitting, entituled, *An Act to continue an Act*, entituled, *An Act to prevent the Exportation of Provisions, naval or warlike Stores, from this Province to* Cape-Breton, *or to any other Dominions of the* French *King, or Places at present in Possession of any of his Subjects*, by which the Act continued will be in Force at least Ten Months to come, and has been, as far as we know, effectual for the Purposes intended; and as the Governor has not pointed out to us any Defect in that Act, nor has any occurred to us, we cannot at present think what Law can be made more effectually to prevent that Place being supplied with Provisions, *&c.* from this Province." A Message to the Governor from the Assembly.

And the foregoing Message being signed by the Speaker, by Order of the House,

Ordered, That *Joshua Morris* and *Samuel Brown* wait upon the Governor, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order. *August* 21.

Ordered, That *Evan Morgan*, *William Callender*, *Mahlon Kirkbride*, *George Ashbridge*, *James Wright*, *David M'Connaughy* and *Moses Starr* wait upon the Governor with the following Message, *viz.*

"The House met on the Twenty-third of last Month, on the Governor's Summons, "in an Affair of the highest Consequence to the Welfare of this Province, and the "other Colonies on the Continent of *North-America*. We considered the Importance

"of

1755. *Auguſt* 21.

" of the preſent Situation of our Affairs, and ſent up a Bill to the Governor for granting *Fifty Thouſand Pounds* for the King's Uſe. This Bill has been repeatedly under his Conſideration ever ſince the Second Inſtant, ſo that he muſt be fully acquainted with the Bill, and his own Sentiments upon it; we therefore earneſtly requeſt, that he would now give us a poſitive Anſwer, whether he will or will not aſſent to the Bill as it lies before him."

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that as his Council were now ſitting, he would acquaint them with the Meſſage of the Houſe, and return an Anſwer to the Houſe this Afternoon.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

A Meſſage from the Governor, by the Secretary.

SIR,

THE Governor having by Meſſage of the Fourteenth Inſtant informed you, that he did not think it conſiſtent with his Power or Truſt to paſs the Bill for raiſing Fifty Thouſand Pounds, *without the Amendments he had made to it, and that he adhered to thoſe Amendments; is ſurprized at your Meſſage of this Day, to which he can only ſay, that he thinks it his Duty to adhere ſtill to the Amendments he made to that Bill.*

The Secretary alſo brought down the Bill for grantin g *Fifty Thouſand Pounds* to the King's Uſe, and laid before the Houſe ſome Accounts for *Indian* Expences, which he informed the Houſe were delivered to the Governor by *Scarroyady's* Wife; and the ſame were read, and referred to the Committee of Accounts.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'ON the Ninth Inſtant I recommended to you to eſtabliſh a Militia for the Safety and Defence of the Province, and having frequently before recommended the ſame Thing, but received no Anſwer, I then deſired you would give me an explicit Anſwer upon the Subject.

'I do therefore now call upon you, and inſiſt on a plain and categorical Anſwer, whether you will or will not eſtabliſh a Militia, that his Majeſty and his Miniſters may be informed whether, at this Time of Danger, the Province of *Pennſylvania* is to be put into a Poſture of Defence or not.

Philadelphia, Auguſt 21, 1755. *ROBERT HUNTER MORRIS.*"

The Governor's Meſſage of the Sixteenth Inſtant, relating to the Striking of Paper Currency upon the preſent Emergency, and the Governor's verbal Meſſage of To-day, were again read, and conſidered; and, after ſome Time ſpent therein,

Ordered, That *Joſeph Fox* and *Benjamin Franklin* be a Committee to prepare a Draught of an Anſwer to the ſame.

Two Accounts from *Samuel Neave*, for Goods furniſhed the *Indians* now in Town, being given by the Secretary to the Speaker, were laid before the Houſe and read, and referred to the Committee of Accounts.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of the Sixteenth Inſtant, relating to the Striking of Paper Currency, and to his verbal Meſſage of this Day, reported the ſame to the Houſe, and it was read, approved, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 22.

The Committee of Accounts made the following Report in Writing, *viz.*

Report from the Committee of Accounts.

WE have examined the ſeveral Accounts of the Labourers employed in cutting the Road towards the *Ohio*, laid before the Houſe by the Secretary, and finding the Commiſſioners appointed by the Governor for that Service have not exhibited any Account to him, nor any Proofs that the Perſons applying have really been employed in that Work, and the Charges made by them are very extravagant: We do not think ourſelves juſtifiable in making them any Allowance till the Commiſſioners produce their Accounts; which we nevertheleſs ſubmit to the Houſe.

Eighth Month 22, 1755. WILLIAM CALLENDER, EVAN MORGAN, JOSEPH STRETCH, JAMES PEMBERTON."

The Committee of Accounts alſo reported on *John Harris's* Account, that they were of Opinion the ſame ought to be allowed, amounting to *Thirteen Pounds Four Shillings* and *Six-pence*; to which the Houſe agreed.

The Committee of Accounts likewiſe reported, that they had examined the two Accounts from *Samuel Neave*, and were of Opinion, that one of the ſaid Accounts, amounting to *One Hundred* and *Fourteen Pounds Two Shillings* and *Ten-pence*, being nearly agreeable to the Sum voted by the Houſe as a Preſent to the *Indians* now in Town, ought to be allowed by the Houſe. But that as to the other Account, amounting to *Fifty-*

ſeven

seven Pounds Five Shillings and *Six-pence*, the Committee were of Opinion, that it ought to be returned to *Samuel Neave*, to be paid by those who gave Orders for purchasing the Goods therein mentioned.——To which Report the House agreed. 1755. *August* 22.

Orders were drawn on the Treasurer, and signed by the Speaker by Order of the House, for the Payment of *John Harris's* Account, of *Thirteen Pounds Four Shillings* and *Six-pence*, and *Samuel Neave's* Account of *One Hundred* and *Fourteen Pounds Two Shillings* and *Ten-pence*.

The House resuming the Consideration of the several Petitions from the Frontier Townships, setting forth their present dangerous Situation, and that many of the poorer Inhabitants were unarmed, and unable to purchase Arms for Defence of their Houses and Families,——it was

Resolved, That a Sum not exceeding *One Thousand Pounds*, if so much be in the Treasury at the Disposition of this House by the Laws in Force, shall be paid into the Hands of *Isaac Norris*, *Evan Morgan*, *Joseph Fox*, *Benjamin Franklin* and *John Wright*, to be by them disposed of (with the Consent and Approbation of the Governor of this Province) for the King's Use, in such Manner as to the said *Isaac Norris*, *Evan Morgan*, *Joseph Fox*, *Benjamin Franklin* and *John Wright*, or to a Majority of them, shall appear necessary.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Message to the Governor being transcribed, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

THE Governor was pleased, in his Message of the Fourteenth Instant, to tell us, that "he was not *yet* satisfied it was in his Power, or consistent with his Trust, "to pass our Bill without his Amendments, *whatever he might be when he heard what we* "*proposed to say to him on that Head*;" and we understood those Words to express a Suspension of his Determination for that Time. We since sent him a long Message, containing the Reasons of our Judgment, that it was both in his Power, and consistent with his Trust, to pass the Bill without those Amendments: And yet, in Answer to our Message of Yesterday, requesting his final Resolution, he is only pleased to say, that he is surprized at such a Message, having told us in his said Message of the Fourteenth, that he adhered to his Amendments.——We cannot see the Reasons of the Governor's Surprize on this Occasion, since from all that had passed between us, and especially as he had not then sent down our Bill, we think the Governor could not but expect such a Message from us. A Message to the Governor from the Assembly.

The Governor thought fit in his Message of the Sixteenth to acquaint us, "That he "would readily pass a Bill for striking any Sum in Paper-Money the present Exigency "may require, provided Funds are established for sinking the same in Five Years."

But as we have no Funds capable of sinking so great a Sum in Five Years, without the Assistance of an equitable Tax, to which the Governor would still have his Objections in Favour of the Proprietary Estate; and the Proposal of striking Paper Money might lead us again into many Disputes, which we chose, by the Form of this Bill, to avoid, agreeable to the Governor's Advice in his Speech at the Opening of the Session; we, in our Turn, should be *surprized* to receive such a Proposal now from him, if we had the least Reason to think he was sincerely desirous of having any Thing done for the Defence of the Province.

Being now convinced, that no farther Benefit to the Country can arise from our continuing longer together at this Time; and being under a Necessity of meeting again in a few Weeks to settle the Accounts of the Year, we take Leave to acquaint the Governor, that we incline to adjourn this Day to the Fifteenth of *September* ensuing, if he hath no Objection to that Time.

August 22, 1755. *Signed by Order of the House*,

ISAAC NORRIS, Speaker."

Ordered, That *Griffith Owen* and *Thomas Cummings* wait upon the Governor, and deliver the foregoing Message, together with the following one, in Answer to the Governor's Messages relating to a Militia, *viz.*

May it please the GOVERNOR,

IN our Message of the Thirty-first of *December* last, we returned an Answer to the Request the Governor then made, "that we would provide for the Defence and "Safety of the Province, not only by affording such Aids as his Majesty from Time to "Time might require, but by establishing a regular Militia within this Province, and "providing Arms and Stores of War, and building proper Magazines in the most con-"venient Places." And we have now again reconsidered that Message, and his other Messages of the Ninth, Fifteenth and Twenty-first Instant, wherein we are told that we are still without a Militia, or the necessary Means of Defence. The Elections throughout the Province are near at Hand, and our Assemblies may hereafter consider whether A Message to the Governor from the Assembly.

1755. *Auguſt* 22. it will be of any real Advantage to eſtabliſh a regular Militia by Law. —— But as we find by the Governor's Reſult upon our Bill for granting *Fifty Thouſand Pounds* for the King's Uſe, he cannot think it conſiſtent with the Truſt repoſed in him by the Proprietaries to paſs that Bill, we find by Experience that it can anſwer no good Purpoſe to waſte our Time in preparing Bills for his Aſſent, in which, for the common Security and Defence of the Province, we apprehend it would be a high Breach of the Truſt repoſed in us to exclude the Proprietaries Eſtate from bearing any Part of the Burthen, and if not excluded, as the Governor aſſerts, muſt at laſt be rejected by him for Want of ſufficient Powers in his Commiſſion; and therefore (had we no other Objections) we hope the Governor will judge it reaſonable, after ſo many repeated Refuſals of the Bills we have offered to him for granting large Sums of Money for the King's Uſe, that we now wait the Determination of our Superiors what Powers he has, or ought to have, as our Governor under the Royal and Provincial Charters, and what excluſive Rights our Proprietaries may be juſtly intitled to in the Laying and Levying of Taxes for the common Security and Defence of their Eſtates, with all the other Eſtates within this Province.

In the mean time we have taken Care to anſwer the Petitions from the Inhabitants of the ſeveral Parts of this Province, recommended to us in the Governor's Meſſage of the Fifteenth Inſtant, in the beſt Manner we are able, which we hope will be ſatisfactory to them, and a Proof of the Care we have for the Eaſe and Safety, as well as the juſt Rights of thoſe we repreſent.

Auguſt 22, 1755. *P. M.* *Signed by Order of the Houſe,*
ISAAC NORRIS, Speaker."

The Committee of Accounts reported on the ſeveral Accounts for *Indian* Expences, which were Yeſterday laid before the Houſe by the Secretary, as follows, *viz.*

Province of Pennſylvania, Dr.

For Expences on ſundry Indians *on their Journey to* Philadelphia, Auguſt 1755.

	£		
To *James M'Gill*, Butcher, *per* Account, dated at *Carliſle*, for Meat, *&c.* for *Jagrea*, — — — —	6	4	9
To *William Buchanan*, of *Carliſle*, for Sundries for *Jagrea*, and others,	5	6	0
To *Adam Terrence*, Account for paſturing of Horſes, and other Expences,	3	10	10
To *Joſeph Pugh*, of *Lancaſter*, *per* Account, —— ——	4	0	4
To *John Hambright*, at the *White Horſe*, — — —	0	19	0
To *Samuel Scott*, *per* Account, —— — —	2	18	8
To *Anne Miller*, *per* Account, —— — —	1	7	6
To *Anne Caldwell*, *per* Account, — —— —	1	10	0
To *Thomas Parkes*, —— —— —	1	3	0
To an Account for Dinner, Rum and Wine, —— —	1	6	10
To *Joſeph Biſhop*, for Dinners for 42 *Indians*, and Cyder for Ditto,	1	0	0
	£ 29	6	11

We have examined the ſeveral Accounts relating to the *Indians* Expences, of which the above is a Liſt, amounting to *Twenty-nine Pounds Six Shillings* and *Eleven-pence*, which we do not think are ſo well atteſted as they ſhould be, but are of Opinion it may be beſt to allow them, and ſubmit the ſame to the Houſe.

Auguſt 22, 1755. EVAN MORGAN, JOSEPH STRETCH,
JOSEPH FOX, GEORGE ASHBRIDGE."
JAMES PEMBERTON,

The Committee of Accounts likewiſe reported, that it appeared, by an Account laid before the Houſe with the foregoing, that the Sum of *One Pound Nineteen Shillings* was due to the Province from *Conrad Weiſer*, being paid him by the Governor, and charged by the Governor to the Houſe.

The Petition from *Andrew Montour*, *Indian* Interpreter, being again read, and conſidered,

Reſolved, That the Sum of *Fifty Pounds* be now given to the ſaid *Montour*, as a Preſent from this Houſe, in Conſideration of his Loſſes in the Service of the Army under the late General *Braddock*.——And it was likewiſe

Reſolved, That the Sum of *Ten Pounds* be given as a Preſent from this Houſe to *Scarroyady*, and the late *Half-King's* Son, two *Indians*, now in Town, who were on the Side of the *Engliſh* in the Battle at *Mohongahela*.

Reſolved, That the Sum of *Five Pounds* be alſo given to the *Indian Jagrea*, who came down to Town in Company with the *Owendaets*.

An Order was drawn on the Treaſurer for the Sum granted to *Andrew Montour*, and ſigned by the Speaker, by Order of the Houſe.

An Order was likewiſe drawn on the Treaſurer, payable to *Conrad Weiſer*, for the Sums granted *Scarroyady*, the *Half-King's* Son, and *Jagrea*, and ſigned by the Speaker, by Order of the Houſe.

The

1755. *August* 22.

The Gentlemen return, and report, that they waited on the Governor, and delivered the Messages of the House according to Order; and withal acquainted him with the proposed Time of Adjournment, to which the Governor was pleased to say, he had no Objection to that Time more than any other Time; but if he found that the House had not given him a satisfactory Answer to his Messages relating to a Militia, he should call them again immediately.

Then the House adjourned to the Fifteenth Day of *September* next. Adjournment

September 15. *Post Meridiem*

THE House met pursuant to their Adjournment.

Ordered, That *Joseph Trotter* and *James Pemberton* wait upon the Governor, and acquaint him, that the House are met according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

September 16.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order, and that the Governor was pleased to say, that he believed he should have something to communicate to the House, and, if he found he had, he should do it by Way of Message.

It being moved, that the Bill for directing the Choice of Inspectors in the Counties of *Chester*, *Lancaster*, &c. was expired, and that it would be necessary to have the same continued for a further Term,

Ordered, That *Evan Morgan*, *Joseph Stretch*, *Benjamin Franklin*, *William Callender*, *Mahlon Kirkbride*, *Joseph Hamton*, *George Ashbridge*, *Nathaniel Pennock* and *Calvin Cooper* be a Committee to prepare and bring in a Bill for that Purpose.

Ordered, That *Joseph Stretch*, *Evan Morgan*, *Mahlon Kirkbride*, *George Ashbridge* and *Calvin Cooper* be a Committee to inspect and settle the Accounts of the Incidental Charges of the current Year.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Post Meridiem

A Petition from *Stephen Carpenter*, of the *Northern Liberties*, was presented to the House and read, setting forth, that the Petitioner's Servant-Man, named *John Frederick Corn*, having about two Years and eight Months to serve, did, in or about the Month of *March* last, run away, and inlist himself a Soldier in General *Braddock's* Army; that the said Servant is now in *Philadelphia* a Soldier in Colonel *Dunbar's* Regiment, unto whom the Petitioner applied in order to have the said Servant discharged, but the Colonel told him that he could not discharge the said Servant, by Reason he was inlisted in the Life-time of General *Braddock*; the Petitioner therefore prays that this House would take the Premises into Consideration, and grant him such Relief therein as they in their Wisdom shall see meet. *Ordered to lie on the Table.*

A Bill to continue an Act, entituled, *An Act for directing the Choice of Inspectors in the Counties of* Chester, Lancaster, York, Cumberland, Berks *and* Northampton, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

Sundry Acounts for *Indian* Expences were laid before the House and read, and referred to the Committee of Accounts.

Several Letters from the Agents of this Province, residing in *England*, were laid before the House and read.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

September 17.

An Account from *James Lindsay*, amounting to *Twelve Pounds Five Shillings* and *Four-pence*, and another from *James M'Cord*, amounting to *One Pound Five Shillings*, for Work done on the *Ohio* Road, were laid before the House and read, and referred to the Committee of Accounts.

A general Account from the Governor (including the Balances of his several Accounts heretofore exhibited to the House) for *Indian* and other Expences, amounting to *Five Hundred Ninety-one Pounds Five Shillings* and *One Penny*, was laid before the House and read, and referred to the Committee of Accounts.

The Bill to continue an Act, entituled, *An Act for directing the Choice of Inspectors in the Counties of* Chester, Lancaster, York, Cumberland, Berks *and* Northampton, was read the second time, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Post Meridiem

The Bill, entituled, *An Act to continue an Act*, entituled, *An Act for directing the Choice of Inspectors in the Counties of* Chester, Lancaster, York, Cumberland, Berks *and* Northampton, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Jonathan Ingham* and *Joseph James* do carry up the same to the Governor for his Concurrence.

The Gentlemen return, and report, that they had delivered the said Bill according to Order.

Upon

1755. Upon Motion made, it was

September 17. *Ordered*, That *Derrick Hogeland* and *Calvin Cooper* wait upon the Governor with the following Meſſage, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. AS the Houſe cannot now long continue together, their Year being near expired, they are deſirous that if the Governor has any Buſineſs of Importance to lay before them, he would be pleaſed to let them have it ſoon under their Conſideration; and particularly, if any Application has been made to him by the Eaſtern Governments for a farther Supply of Proviſions from this Province for the King's Forces now gone towards *Crown-Point*.

September 17, 1755. *P. M.* *Signed by Order of the Houſe,*

ISAAC NORRIS, *Speaker.*"

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 18. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order.

An Account from *Conrad Weiſer*, for his Expences and Trouble in attending the *Indians* lately in Town, on their Return from *Philadelphia* to *Harris's* Ferry, *&c.* amounting to *Sixty-one Pounds Two Shillings* and *Seven-pence*, was laid before the Houſe and read, and referred to the Committee of Incidental Charges.

An Account from *John Harris*, of *Paxton*, amounting to *Forty-ſeven Pounds Seven Shillings* and *Eight-pence*, for *Indians* Expences at his Houſe, and a Letter from the ſaid *Harris*, deſiring ſome Allowance may be made him for the Damage the *Indians* have done to his Corn, Orchard, *&c.* and for his Trouble in attending them, were laid before the Houſe and read, and referred to the Committee of Incidental Charges.

An Account from *Thomas Jervis*, for ſundry Expences of *Adam Terrence* and *Andrew Montour*, *Indian* Interpreters, lately in Town with the *Indians*, amounting to *Forty Pounds Eight Shillings* and *Five-pence*, was laid before the Houſe, read, and referred to the Committee of Incidental Charges.

An Account from the Overſeers of the Poor of the City of *Philadelphia*, for the Maintenance of the Soldiers Wives, wherein they make the Province Debtor for *Fifty-ſeven Pounds Eleven Shillings* and *Eleven-pence*, expended on the ſaid Women, and give the Province Credit for *Fifty Pounds*, received of the Truſtees of the Loan-Office, and *Twelve Pounds Four Shillings*, of Colonel *Dunbar*, being the *Shilling* a Week ſtopped out of the Soldiers Pay for the Support of their Wives, was laid before the Houſe and read, and referred to the Committee of Incidental Charges.

A Meſſage from the Governor, by the Secretary.

SIR,

I am commanded by the Governor to inform the Houſe, that the Government of Maſſachuſetts-Bay *having ordered Two Thouſand Eight Hundred Men to be immediately raiſed in that Province, in Addition to the Fifteen Hundred Men raiſed before for the Reduction of* Crown-Point, *on the Eighth Inſtant the Council and Aſſembly there deſired Lieutenant Governor* Phips *to requeſt of this Government an immediate Supply of Proviſions for thoſe Troops, which they deſire may be ſent to* Albany; *and he Yeſterday received a Letter from Governor* Phips, *making the Requeſt accordingly.*

The Governor has alſo been informed, that the Government of Connecticut *have raiſed Fifteen Hundred Men, and* Rhode-Iſland *One Hundred and Fifty Men, in Addition to the Forces ſent by thoſe Governments againſt* Crown-Point, *who will alſo ſtand in Need of a Supply of Proviſions. He therefore recommends theſe Matters to your Conſideration.*

The Secretary likewiſe brought down three Letters from *Conrad Weiſer*, relating to *Indian* Affairs, which were read.

Ordered, That *Nathaniel Grubb* and *Joſeph Armſtrong* wait upon the Governor with the following Meſſage, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. BY the Governor's verbal Meſſage of this Morning we find he has received a Letter from Lieutenant-Governor *Phips*, requeſting of this Government an immediate Supply of Proviſions for the Troops raiſed in the Government of the *Maſſachuſetts-Bay* for the Reduction of *Crown-Point*; and likewiſe that he has been informed, that the Governments of *Connecticut* and *Rhode-Iſland* have alſo raiſed an additional Number of Forces for the ſame Purpoſe; as we propoſe to take theſe Matters under our immediate Conſideration, we requeſt the Governor would be pleaſed to lay the ſaid Letter from Governor *Phips*, and what other Information he may have received relating to this Province's furniſhing them with Proviſions, before us, as has been uſual on the like Occaſions.

September 18, 1755. *Signed by Order of the Houſe,*

ISAAC NORRIS, *Speaker.*"

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return,

return, and report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he had Orders from the Secretary of State, not to lay before the House any Papers but such as he pleased; and, that if the Speaker, or some of the Members, would come to him, he would shew them such Parts of the Letters and Papers he had received from the Eastward, as he should think his Majesty's Service required. 1755. *September* 18.

Ordered, That *Nathaniel Grubb*, *Peter Worral* and *Joseph Armstrong* wait upon the Governor, and acquaint him, that as the Governor, in Answer to the Message from the House this Morning, has been pleased to say, that he had Orders from the Secretary of State not to lay before the House any Papers but such as he pleased; the House request the Governor would therefore be pleased to favour them with a Sight of the said Orders.

And the said Members were likewise ordered to enquire if the Governor had come to any Result upon the Bill relating to the Choice of Inspectors in the Counties of *Chester*, *Lancaster*, &c.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he should send a Message down to the House in Answer thereto; and that he had given the Bill relating to the Choice of Inspectors to the Attorney-General, to examine and compare with the former Act, who had not as yet made any Report to him thereon. *September* 19.

The Governor, by the Secretary, sent down to the House a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

'IN Answer to your Message of Yesterday Morning, I informed you by your Messen- A Message from the Governor to the Assembly.
'gers, that I had Directions from the Secretary of State not to lay Letters before
'you, Messages from me being, in his Judgment, a sufficient Foundation for you to
'proceed upon; and I informed you by the same Messengers, that, if your Speaker, or
'a few of your Members, would attend me, I would communicate to them, for the
'Satisfaction of the House, such Parts of the Information I had received from the East-
'ward as his Majesty's Service required; and in the Evening you requested me to lay
'before you the Secretary of State's Order to me upon that Head; this I think im-
'proper for me to do, as such Orders are intended for my own Government, and for
'which I am accountable to those from whom I received them.

Philadelphia, *September* 19, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary likewise brought down the Accounts of the Commissioners for making the Road towards the *Ohio*, and acquainted the House, that one of the said Commissioners was now in Town, and ready to inform the House of any Matters they may see Cause to enquire into relating to the said Accounts.

And the same were read, and referred to the Committee of Accounts.

A Petition from *Peter Schaur*, of the County of *Lancaster*, was presented to the House and read, setting forth, that when the Forces under Colonel *Dunbar* were at *Lancaster*, in their Way to *Philadelphia*, a considerable Number of Horses and Cattle belonging to them were put into the Petitioner's Meadow, and kept there for two Days, whereby the greatest Part of the Grass in the said Meadow was destroyed; that the Damage done the Petitioner by the said Horses and Cattle was valued by *Jacob Myer*, and others, at *Eleven Pounds Seven Shillings*; the Petitioner therefore prays that this House would pay him for the Damage aforesaid. *Ordered to lie on the Table.*

A Petition from *John Brubacker*, of *Lancaster* County, was presented to the House and read, setting forth, that a considerable Number of Horses and Cattle, belonging to the Forces under Colonel *Dunbar*, were put into the Petitioner's Meadow, whereby a great Part of the Grass in the said Meadow was destroyed; that *Jacob Myer*, and others, have valued the Damage done the Petitioner by the said Cattle and Horses at *Eight Pounds Five Shillings*; the Petitioner therefore prays that this House would pay him for the aforesaid Damage. *Ordered to lie on the Table.*

An Account from eight Constables of the City of *Philadelphia*, for attending the *Indians* lately in Town, amounting to *Eight Pounds Ten Shillings*, was laid before the House and read, and referred to the Committee of Accounts.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

A Petition from sundry Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth, that several Servants and Apprentices belonging to the Petitioners have inlisted as Soldiers in the Regiment lately under the Command of Sir *Peter Halkett*, to the great Injury and Damage of the Petitioners, whose Subsistance depended, in a great Measure, on the Labour of the said Servants and Apprentices; that the Petitioners have from Time to Time applied to the Commanding Officers of the said Regiment to obtain a Discharge of the said Servants and Apprentices, but without

1755. any Succeſs; the Petitioners therefore pray that this Houſe would take the Premiſes into Conſideration, and grant them ſuch Relief as ſhall be thought moſt expedient.

Sepeember 19. The Petition from *Samuel Carpenter*, concerning his Servant being inliſted as a Soldier, was again read:

And the Houſe taking the two foregoing Petitions into Conſideration, requeſted *Benjamin Franklin*, one of their Members, to endeavour to prevail upon Colonel *Dunbar* to diſcharge the ſaid Servants and Apprentices, or take ſuch other Steps for that Purpoſe as the ſaid Member ſhall judge neceſſary.

It being moved, that in order to give the Committee of Accounts Time to ſettle the Accounts relating to the *Ohio* Road, and other Public Accounts, it would be neceſſary for the Houſe to adjourn for ſome Days.

Adjournment *September* 23. The Houſe accordingly adjourned to next *Third-day*, at Three o'Clock in the Afternoon.

Poſt Meridiem The Houſe met, purſuant to their Adjournment.

The Houſe being informed that *Conrad Weiſer* was now in Town,

Ordered, That the ſaid *Weiſer* do attend this Houſe To-morrow Morning.

Ordered, That *Calvin Cooper* and *Peter Worral* wait upon the Governor, and acquaint him, that the Houſe deſire to know, whether he has come to any Reſult upon the Bill now before him for continuing the Act relating to the Choice of Inſpectors in the Counties of *Cheſter*, *Lancaſter*, &c.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 24. The Gentlemen report, that they had waited upon the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that he had ſent to the Attorney-General on *Saturday* laſt to know if he had finiſhed examining the Bill relating to the Choice of Inſpectors, but had as yet received no Anſwer from him; however that the Houſe might expect to hear from the Governor concerning the ſaid Bill ſome Time this Day.

An Account from *William Buchanan*, of *Carliſle*, for the Hire of a Horſe for an Expreſs to Fort *Cumberland*, and another from one *Aſhton*, living on the *Lancaſter* Road, for the Hire of a Waggon, and Horſes, for the Uſe of ſome Officers of the Army who were travelling the ſaid Road, were laid before the Houſe and read, and referred to the Committee of Incidental Charges.

Conrad Weiſer attending, according to Order, was called in, and having anſwered ſuch Queſtions as were put to him by the Houſe, relating to the Letters he had wrote to the Governor, which were laid before the Houſe at this Sitting, he was directed to withdraw.

The Letters to the Governor from *Conrad Weiſer*, laid before the Houſe at this Sitting, mentioning that the *Indians* lately in Town were with their Families gone to ſettle at *Shamokin*, and would be in Want of ſome Proviſions for their Subſiſtance, being again read, and conſidered,

Reſolved, That *Conrad Weiſer* have, till the next Sitting of Aſſembly, Power to ſupply the ſaid *Indians* with ſuch a Quantity of the Flour belonging to this Province, now lying at and about *Harris's* Ferry, as he, the ſaid *Weiſer*, ſhall think is neceſſary; provided the ſaid *Indians* will fetch the ſame themſelves, without any Charge to the Province therefor.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'IN the Courſe of my ſhort Adminiſtration among you, I have often regretted, that at a Time when it becomes every one of us to be conſulting and acting for the Public Good, you ſhould ſtill delight to introduce new and unneceſſary Diſputes, and turn the Attention of the People from Things of the laſt Importance to their future Safety.

'Your very tedious Meſſage of the Nineteenth of *Auguſt*, is a ſufficient Proof of your Temper of Mind; it is indeed of ſuch an inflammatory Nature, that did not the Duties of my Station and Juſtice to the People require me to take ſome Notice of it, I ſhould think it beneath me as a Gentleman to make any Reply to a Paper of that Kind, filled with the groſſeſt Calumny and Abuſe, as well as the moſt glaring Miſrepreſentations of Facts; and what I ſhall now ſay in Anſwer to it would have been ſaid in your laſt Sitting, had you not adjourned yourſelves ſo ſoon after the Delivery of it, that I had not Time.

'You ſet out with claiming it *as a Privilege to have your Bills granting Supplies paſſed as they are tendered, without Amendments*, and ſay, "*it is far from being an ordinary Method to receive or debate upon Amendments offered by the Governor.*"

'This Claim is not warranted by the Words of the Charter, nor by the Uſage of former Aſſemblies, and you yourſelves muſt know, that from the firſt Settlement of

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'the Province to the latter End of the Administration of Mr. *Hamilton*, my immediate 'Predecessor, the Governors have occasionally amended Bills for raising Money, and 'their Right of doing so was never till then contested.

'Notwithstanding all you have said as to *my Offer of Lands to the Westward*, I am 'persuaded unprejudiced Men will see it in its true Light, and be convinced it was made 'with a good Intention, and under a proper Authority; I mentioned my Commission 'of Property in Contradistinction to the Commission of Government, as that under 'which I granted Lands upon the common and ordinary Occasions, which you seem 'to think was done under the other: —— But as to the Offer in Question, I had such 'Directions from the Proprietaries as were sufficient to justify me in making it, and 'would have been obligatory on them to confirm the same to the Adventurers; and this 'I did then, and still do, think a good Authority.

'As you do not profess to understand Law, I am not surprized at your quoting an 'Abridgment instead of the Case abridged. ——— *Viner*, who is no Authority, may 'have the Words you mention, for aught I know, and may be of Opinion that the King 'can purchase and hold Lands in his private Capacity, but in that he has the Misfor-'tune to differ from my Lord *Coke*, and other Writers of Note and Authority in the 'Law.

'Your Answers to what you call my *round Charge*, and to what you afterwards call 'my *haughty Questions*, are, by no Means, conclusive; I grant that no Public Money 'can be raised, nor any Clause enacted for the Disposition of it, without your Consent, 'but is not mine equally necessary? Whence is it then that I should be thought more 'obliged to you for a Voice in the Disposition of Public Money, than you are to me, 'seeing the Obligation (if any) is reciprocal; the Money remaining in the People's 'Pockets cannot be taken from thence, till I think a Law necessary for that Purpose, 'and shall I have less Power over it after it is raised, and in the Public Treasury, than I 'had before? The common Security of the People requires that they should not be 'taxed but by the Voice of the whole Legislature, and is it not equally for their Security 'that the Money when raised should not be disposed of by any less Authority? Your 'Claim therefore of a *natural exclusive Right to the Disposition of Public Money*, because 'it is the People's, is against Reason, the Nature of an *English* Government, and the 'Usage of this Province, and you may as well claim the *exclusive Right* to all the *Powers 'of Government*, and set up a Democracy at once, because all Power is derived from 'the People; and this indeed may be the true Design.

'As to what you insinuate concerning *the enormous Growth of the Proprietary Estate*, 'I shall oppose plain Facts to your Presumptions. By the original Concessions and 'Agreement between the late Mr. WILLIAM PENN, and the first Settlers, nine Tenths 'of the Land were to be granted to the Adventurers, and the remaining Tenth to be 'laid out to the Proprietary —— but instead of this, the late Proprietary, out of the 'Lands purchased of the *Indians* in his Time, contented himself with taking up but a 'very small Part of what he might have done under that Agreement; and out of the 'three *Indian* Purchases made by his Sons since his Death, in the two first, consisting 'of four Million Acres of Land, they did not survey upwards of Twenty-five Thousand 'Acres, and those neither of the richest nor best situated; and in the last, which is by 'far the largest of all, no Surveys have been made for their Use, but they gave early 'Directions, that the Settlers should, as they applied, take their Choice of the best 'Lands, and accordingly great Numbers of People are seated on these Lands, to their 'entire Satisfaction. As to their Manors and appropriated Tracts, it is well known 'that they are mostly settled by Persons without Leave or Title, and that these pay their 'Share of all Taxes: In short, Gentlemen, if instead of setting the Proprietaries forth 'as encreasing their Estates, and using their Tenants like Vassals, you had represented 'them as forbearing with them, and using no compulsory Methods for the Obtainment 'even of their just Debts, and that for these and many other Instances of their kind 'Usage of them, the Proprietaries are entitled to the Character of good, nay of the best, 'Landlords, you had done them no more than Justice, and said only what is notorious 'to all that know their Treatment of the People in this Province.

'I can, by no Means, allow you to argue justly in saying, that the Proprietaries 'ought to submit their Estate to be taxed by Assessors chosen by the People, *because 'they are sworn or solemnly affirmed to do equal Justice*. When you are taxed by these 'Assessors, it is by Persons who may be considered as your Equals, and who are inter-'ested to do you Justice, as you in your Turns may become their Assessors. But the 'Proprietary Estate and Interest being considered as separate from yours, because the 'Proprietaries are a separate Branch of the Legislature, they can never in that View be 'taxed by any Persons, unless those whose Interest it is to save their own Estates by 'throwing an unequal Burden upon the Proprietaries; and you must know that this is 'the very Consideration upon which the Law in certain Cases excepts against both the

'Judgment

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'Judgment and Evidence of intereſted Perſons, leſt they ſhould be influenced therein, 'even againſt the Solemnity and Obligations of an Oath.

'You ſay, that "*all Eſtates in* Britain, *and her Colonies, now bear, or muſt bear, a* "*Tax to free the Proprietary Eſtate from Encroachments and Incumbrance.*" Invidious 'and ungrateful Inſinuation! Is there nothing but this at Stake? Is it for a Tract of un-'ſettled Country, belonging to the Proprietaries of this Province, that the Eyes of all '*Europe* are turned upon this Continent, and ſuch mighty Preparations making both by 'Sea and Land? Or, Gentlemen, can you think that if the Enemy are ſuffered to keep 'up Fortifications in any private Eſtate whatſoever within the Limits of this Province, 'you could preſerve your Eſtates, or the *Engliſh* Nation preſerve its Dominions? What 'End then can ſuch Inſinuations ſerve, but to cool the Ardor of his Majeſty's good 'Subjects in recovering the Country unjuſtly taken from them, as if they were contend-'ing for a Thing of no Conſequence, which is but too much the Opinion of many 'amongſt us, raiſed and confirmed, no Doubt, by your ſtrange Conduct.

'You charge me *with contriving all poſſible Methods of Expence to exhauſt your Funds,* '*and diſtreſs your Affairs*, and give an Inſtance of *an exorbitant Demand of* Five Thou-'ſand Pounds for cutting the Road for the Uſe of the Army, *an Undertaking, you ſay, I* '*engaged you in on a Computation of its coſting only* Eight Hundred Pounds. How could 'you ſtumble on a Matter which, on a very ſlight Examination, muſt appear to be with-'out the leaſt Foundation? Your own Minutes will ſhew that you reſolved to bear the 'Charge of cutting two Roads, one to *Wills's* Creek, and the other to the *Mohongahelo*, 'and in one of your Meſſages to me, wherein you enumerate your meritorious Acts, 'you ſet this Road to the *Ohio* particularly forth in ſuch a Manner as to have it believed, 'that it would prove an heavy Expence, which, nevertheleſs, you would not decline to 'bear as the King's Service required it; and now you inſinuate, that had you known 'it would have coſt more than *Eight Hundred Pounds*, you would not have undertaken 'it, and this for no other Reaſon than to lay to my Charge a pretended Eſtimate of which 'I am totally ignorant, having never ſeen nor heard of one. The Sum of *Eight Hundred* '*Pounds* might have been mentioned as what it would coſt in ſome Mens private 'Opinion, but not upon an Eſtimate of the Commiſſioners, nor as ſuch ſent to me. 'To be plain, Gentlemen, it was the Reſentment and Menaces of the Officers in the 'Army, entruſted with that Part of the King's Service, becauſe the Work was not begun 'in Time (and it could not have been begun ſooner by me, as you would not ſooner 'comply with my Requeſt) it was, I ſay, your Dread of having proper Repreſentations 'made of your Conduct at Home, and of an armed Force being uſed to oblige the In-'habitants to do this neceſſary Work, and nothing elſe, that induced you to engage to 'bear the Expence, and had the two Roads been cut they would have coſt a very great 'Sum indeed, but by a Repreſentation I cauſed to be made to the General, he conſented 'to drop the Road to *Wills's* Creek, and inſtead of extending the other to the *Ohio*, 'to order it to be opened no farther than to the *Crow-foot* of *Ohiogainy*, which laſt ſaved 'the Clearing of many Miles.——He likewiſe conſented, that the Road ſhould not be 'made ſo wide by one Third as the Quarter-Maſter General had given Directions for. '——Theſe were great Savings to the Province, which added to the Regulations that 'were made in the Price of Proviſions and Liquor, and in the Hire of the Waggons, 'would at any other Time have induced you to ſpeak in Commendation of my Care 'and frugal Uſe of the Public Money, and not to charge me with a Demand that I 'never made, nor indeed could it have been then made by any one, becauſe the Ac-'counts were not come in, and now that they are delivered to you, it does not appear 'that they will amount to the Sum of *Three Thouſand Pounds*, which is not extrava-'gant, when you conſider the Diſtance and Expedition required in the Work. The 'Commiſſioners, inſtead of being reproached with Extravagance, have a Right to the 'ampleſt Acknowledgments for their expoſing their Perſons to ſuch imminent Danger, 'and carrying on the Work with ſo much Spirit, and ſo becoming a Zeal; and though 'my Recommendations may not have much Weight with you, yet as they were en-'gaged in this hazardous Work by my Intreaties, Juſtice requires they ſhould be hand-'ſomely rewarded for their indefatigable Attendance and generous Advance of their 'own private Fortunes.

'You have, in the Meſſage now before me, and in ſeveral others, taken great Pains '*to infuſe into the Minds of the People, particularly the* Germans, that the Government 'have Deſigns to abridge them of their Privileges, and to reduce them to a State of 'Slavery.——This may, and will, alienate their Affections from his Majeſty's Govern-'ment, deſtroy that Confidence in the Crown and its Delegates, which, at this Time, 'is particularly neceſſary, and render all the Foreigners among us very indifferent as to 'the Succeſs of the *French* Attempts upon this Continent, as they cannot be in worſe 'Circumſtances under them, than you have taught them to expect from the King's 'Government.

'This you may, with your uſual Confidence, call Duty, Loyalty and Affection to his

'Majeſty,

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'Majesty, but I am convinced it will not be esteemed such by his Majesty and his 'Ministers, before whom all these Matters must be laid. —— And how the innocent 'People of this Province may be affected thereby, Time will shew.

'You are pleased to tell me, *that I am destitute of Skill and Abilities for my Station, 'and have not the Spirit of Government* in me. Gentlemen, I have never made any 'Boast of my Abilities, nor do I pretend to know what you mean by *the Spirit of Go- 'vernment*. But this I know, that if I had enough of *the Spirit of Submission*, I was early 'given to understand, by some of your Messages, that you would have then pronounced 'me well qualified for the Administration of this Province, even without the Assistance 'of Instructions, or the Advice of my Council.

'To your Spirit of Government however, or, in other Words, your Inclinations to 'encrease and render permanent your own Powers, is to be attributed all your late ex- 'traordinary Proceedings, and the defenceless State of the Province; for the Sake of 'gratifying this, you scruple not to stir up his Majesty's Subjects against his Govern- 'ment, forgetting all Duty to your Sovereign, and all Decency to those in Authority 'under him.

'Your Answers do not exculpate you from my Charges against you *for taking on your- 'selves great and mighty Powers*, and since you call upon me to particularize them, I 'shall gratify you.——You have created a Paper Currency of your own, and ordered 'the Collectors of Excise and the Trustees of the Loan-Office to receive it, against Law. '——You pay your own Wages out of the Provincial Money, when the Law requires 'and provides for their being paid in another Manner. —— Nothwithstanding it is de- 'clared by Law, that no Persons indebted on Mortgage to the Loan-Office shall be de- 'linquent in their Payment above a Year, and your Committees are enjoined, in the 'Settlement of their Accounts, to reckon all such Outstandings as Cash in the Trustees 'Hands, yet this you have dispensed with in the Settlement of the Trustees Accounts 'Year after Year, and suffered the Borrowers to continue in Arrear for Years, many of 'them for not less than Ten. —— A Practice tending to depreciate the Value of the 'Money, and greatly injurious to the Borrowers.——And lastly, instead of the Oaths 'required by Law to be taken to his Majesty by all Men in Public Office, you have 'taken upon you to administer the Affirmation to your Clerk, and several of your own 'Members, though not of the People called *Quakers*, nor at all scrupulous against taking 'an Oath, which deprives his Majesty of the Security provided by Law to be given by 'such as hold Offices, or act in Public Trusts.

'You have often mentioned what you have done to promote the Success of his Ma- 'jesty's Arms under General *Braddock*, and for the Defence of the Province, and say, '*you have Letters from the late General, thanking you for your Service*; the Truth of this 'I must beg Leave to question, as the late General was too honest to say one Thing to 'you, and another to the King's Ministers. He might acknowledge the Services of 'particular Men, but how you can take those to yourselves as an Assembly, when you 'had no Hand in what was done, I am at a Loss to know. I think it will not be 'doubted, but that had you in Time opened the proper Roads, raised Men, and pro- 'vided Carriages and necessary Provisions for the Troops, as this was the only Province 'able, in the General's Situation, to furnish him with them, we might now have been 'in peaceable Possession of Fort *Duquesne*.

'In Fine, Gentlemen, I must remind you, that in a former Message you said you 'were a plain People that had no Joy in Disputation. But let your Minutes be exa- 'mined for Fifteen Years past, not to go higher, and in them will be found more Arti- 'fice, more Time and Money spent in frivolous Controversies, more unparalleled Abuses 'of your Governors, and more Undutifulness to the Crown, than in all the rest of his 'Majesty's Colonies put together. And while you continue in such a Temper of Mind, 'I have very little Hopes of Good either for his Majesty's Service, or for the Defence 'and Protection of this unfortunate Country.

Philadelphia, September 24, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary likewise brought down the Bill relating to the Choice of Inspectors in the Counties of *Chester*, *Lancaster*, &c. with a verbal Message, that the Governor was ready to pass the same into a Law, whenever the House should present it to him for that Purpose.

The Committee of Accounts reported, that they had examined *Conrad Weiser's* Account, and found, that, after deducting the Sum of *One Pound Nineteen Shillings*, due by the said *Weiser* to the Province on a former Account, there remained a Balance of *Fifty-nine Pounds Three Shillings* and *Seven-pence*, now to be paid him.——To which Report the House agreed; and an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House for Payment of the same.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

September 25. A Petition from *Michael Teaffe*, praying some Allowance from this House for dieting the late *Half-King*, and his Family, according to an Account laid before the House in

1755. *December* laſt, was preſented to the Houſe and read, and referred to the Committee of Incidental Charges.

September 25. The Governor's Meſſage of Yeſternight being again read, and conſidered,

Ordered, That *Joſeph Fox*, *Benjamin Franklin*, *William Smith*, *Joſeph Gibbons*, *Calvin Cooper*, *John Wright* and *Joſeph Armſtrong* be a Committee to prepare a Draught of an Anſwer to the ſame.

The Bill, entituled, *An Act to continue an Act*, entituled, *An Act for directing the Choice of Inſpectors in the Counties of* Cheſter, Lancaſter, York, Cumberland, Berks *and* Northampton, being ingroſſed, was read, and compared at the Table.

Ordered, That *Evan Morgan*, *Joſeph Fox* and *John Wright* wait upon the Governor, and acquaint him, that the Bill relating to the Choice of Inſpectors is ingroſſed, and that the Houſe deſire he would be pleaſed to appoint ſome of the Council to join with the ſaid Members of this Houſe, to compare the ſame: And further, deſire that the Governor would be pleaſed to appoint a Time when the Houſe ſhall wait upon him in order to have the ſaid Bill paſſed into a Law.

And the ſaid Gentlemen are likewiſe further directed to acquaint the Governor, that the Houſe deſire he would be pleaſed to let them have a Sight of thoſe Letters and Papers, relating to the *Ohio* Road, which were laid before the Houſe on the Thirteenth of *May* laſt, and ſince returned to the Governor.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 26. An Account from the *Indian Jagrea*, for Proviſions furniſhed the *Owendaet Indians*, on their Journey to this Town: Alſo

An Account from *Adam Terrence*, for Fifty-two Days Attendance on the ſaid *Indians*, as their Interpreter, were laid before the Houſe and read, and referred to the Committee of Incidental Charges.

The Committee appointed to audit and ſettle the Public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Peruſal of the Members.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait on the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to appoint a Member of the Council to join the Members of this Houſe in comparing the ingroſſed Bill, who found it to agree with the Original; and that the Governor was pleaſed to ſay, he would be in the Council Chamber at Eleven o'Clock To-morrow Morning, in order to paſs the ſame into a Law.

The Gentlemen likewiſe brought down ſundry Papers relating to the *Ohio* Road; which the Secretary told them were thoſe laid before the Houſe on the Thirteenth of *May* laſt.

An Account from *John Potter*, Sheriff of *Cumberland* County, for his Expences and Trouble in apprehending ſundry Perſons ſuſpected of holding a Correſpondence with the *French*, and carrying them ſeparately to General *Braddock*, then at Fort *Cumberland*, and by his Orders back to *Carliſle* Priſon, amounting to *Twenty-two Pounds Seventeen Shillings* and *Six-pence*, was laid before the Houſe and read, and referred to the Committee of Incidental Charges.

The Committee appointed to purchaſe Arms for the Uſe of the Inhabitants on the Frontiers, reported, that they had already purchaſed ſome, and had received the Governor's Approbation for ſending them to ſundry Places.

Adjournment Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

September 27. A Meſſage from the Governor, by the Secretary.

SIR,

The Governor is now ready to receive the Houſe in the Council Chamber.

Ordered, That *David M'Connaughy* ſee the Great Seal affixed to the Law after it ſhall be paſſed, and the ſame depoſited in the Rolls Office.

Then the Speaker, with the whole Houſe, waited on the Governor.

The Houſe being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act to continue an Act*, entituled, *An Act for directing the Choice of Inſpectors in the Counties of* Cheſter, Lancaſter, York, Cumberland, Berks *and* Northampton; to which the Governor was pleaſed to give his Aſſent by enacting the ſame into a Law.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of the Twenty-fourth Inſtant, reported the ſame to the Houſe; and it was read, and referred for Conſideration to the Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentleman appointed to ſee the Great Seal affixed to the Law, reported, that the ſame is done, and that it is depoſited in the Rolls Office.

The Anſwer to the Governor's Meſſage of the Twenty-fourth Inſtant, being again read

read, and considered, was agreed to, and ordered to be transcribed, that it may be sent up to the Governor. 1755.

Then the House adjourned to next *Second-day*, at Ten o'Clock, *A. M.* *September* 27. Adjournment

The House met, and adjourned to Three o'Clock in the Afternoon. *September* 29. *Post Meridiem*

The Answer to the Governor's Message of the Twenty-fourth Instant, being transcribed, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

THE Sincerity of the Governor's Regret at the "unnecessary Disputes" which subsist between us, the very first Paragraph of his Message gives us some Room to question; since it begins with a *new Charge* that those Disputes are of *our introducing*, and that we "*delight* to introduce them to turn the Attention of the People from Things "of the last Importance to their future Safety." This Charge itself seems designed to introduce another *unnecessary* Dispute, since all that are acquainted with our Disputes know *by whom* they were introduced, and *who it is* that *delights* in Disputing. Assembly's Answer to the Governor's Message of the 24th Instant.

That our Message of the Nineteenth of *August* was "a very tedious" One to the Governor we make no Doubt. It must have been so in the Matter, and might probably be so in the Manner. There was too much Truth in it, and too little Flattery. We suppose too, that the Task of answering it might be as tedious as the Message itself; since, to shorten the Work, he has passed over a Number of the most important Points, and all our Reasonings upon them, without attempting an Answer. And we think he cannot justly complain of Want of Time to answer that Message, since we sat four Days after delivering it, adjourned for near four Weeks, and had been met again nine Days before we received the Answer, which, now we have it, we find to be such an one as might have been made in a few Hours. But had our Message really been "filled with "the grossest Calumny and Abuse," as the Governor says it was, we cannot think, with the Governor, that it would therefore have been "beneath him as a Gentleman to "make any Reply to it." If we were of that Sentiment, we should make none to the Message we are now considering. We think, that what is beneath a Gentleman, is not *the Answering* of Calumny, but *the making Use of it*. And we wish, for the Governor's Sake, that he had been of the same Opinion: For he might then probably have treated us in a Manner more suitable to his Character as a Gentleman, and had more Regard to the Preservation of that Character.

The Governor denies, that our Claim of the Privilege "of having our Bills granting "Supplies passed as they are tendered without Amendments, is warranted by the Words "of the Charter;" though it gives us "all the Powers and Privileges of an Assembly, "according to the Rights of the Freeborn Subjects of *England*, and as is usual in any "of the King's Plantations in *America*." If the Free-born Subjects of *England do not* exercise this Right by their Representatives in Parliament, and it *is not* usual in *any* of the King's Plantations in *America*; then we are in the wrong to claim it, and the Governor is right in denying it. But Facts are for us; and these, in this Case, the Governor does not deny. Our Predecessors may in some few Instances have waved that Right, but they have never given it up, nor will, as we hope, those that shall succeed us. We trust they will rather be more cautious of suffering such dangerous Precedents, when they see how fond Governors are of seizing the Advantage for diminishing our Privileges.

We agree with the Governor, that what we have said as to his Offer of Lands to the Westward, will not hinder *unprejudiced* Men from seeing it *in its true Light*; we think our Remarks have rather contributed to that End, and even assisted those that might before be *prejudiced:* But are at a Loss to conceive how either the Prejudiced or Unprejudiced could be "convinced" the Offer was "made under a *proper Authority*," when neither of the Governor's Commissions, not even that which he calls "the *Foundation* "*of Property*," gave him such Authority; and he is now reduced to the Necessity of dropping them, and recurring to *private Instructions*, never mentioned before; of which none can judge till he shall think fit to produce them. But all may judge how well he has acquitted himself of the Imputation of attempting to impose on the Public, by introducing the Commission of Property as an Authority for the Offer; so we shall spare the Governor on that Head, and press it no farther.

If the Governor had given himself the Trouble of looking into *Viner*, under the Title we mentioned, he might there have found the Case abridged referred to; We, it seems, not being Lawyers, quoted improperly; but He, though a Lawyer, refers us to Lord *Coke*, without Page, Case or Volume; and to "*other Writers of Note and Authority in* "*the Law*," without so much as naming their Names: So that we are utterly at a Loss where to find the *Law Part* of his Messages; but the *Politicks* and the *Calumny* we can easily trace to their Fountain Head, though he does not vouchsafe to quote it at all. The perfect *Sameness* of Sentiment, and even of Expression, are sufficient to show, that they are all drawn from a late famous Libel, entituled, *A Brief State of the Province of Pennsylvania:*

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Pennſylvania: An Author, of whom, if we do not ſay, as the Governor ſays of *Viner*, that he has *no Authority*; yet we may ſay, that his Authority diminiſhes daily, the more we ſee of his Works.

The Governor is pleaſed to ſay, that "the common Security of the People requires "that they ſhould not be taxed but by the Voice of the whole Legiſlature;" and that "we might as well ſet up a Democracy at once, as claim an excluſive Right to the "Diſpoſition of Public Money." To this we beg Leave to anſwer, that though we are not ſo abſurd as to "deſign a Democracy," of which the Governor is pleaſed to accuſe us; yet in this Particular, all our late Attempts to raiſe Money "for the common "Security of the People," being obſtructed and defeated by the Governor's having a Voice in that Matter, would rather induce us to think, that his having ſuch a Voice, *is not* beſt for their Security; and ſuch a Conduct in a Governor, appears to us the moſt likely Thing in the World to make People incline to a Democracy, who would otherwiſe never have dreamt of it.

But the Governor is pleaſed to tell us, that "our Claim of a natural excluſive Right "to the Diſpoſition of Public Money, becauſe it is the Peoples, is *againſt Reaſon*, the "*Nature of an* Engliſh *Government*, and the *Uſage of this Province*." He has, however, never produced *that Reaſon* to us; and we ſtill think, that as every Man has, ſo every Body of Men have a natural Right to the Diſpoſition of their own Money, by themſelves or their Repreſentatives; and that the Proprietary's Claim of a Voice in the Diſpoſition of Money, to which he will contribute no Part, is a Claim contrary to Reaſon. The Wiſdom of the Crown has thought fit to allow different Conſtitutions to different Colonies, ſuitable to their different Circumſtances, and as they have been long ſettled and eſtabliſhed, we apprehend that if the Governor could have Power to unſettle them all, and make in every one ſuch Changes as would be neceſſary to reduce them to a Conformity with *his Idea* of an "*Engliſh* Government," the Reformation would be productive of more Inconvenience than Advantage. The general "Uſage of this Province" in the Diſpoſition of Public Money, was ever what it now is; and as the Province has flouriſhed with it, and no Inconvenience has attended it, we hope it will ſtill continue. Particular Laws may, in a very few Inſtances, have given the Diſpoſition of particular Sums to the Governor, or to Commiſſioners, for particular Services; but a few ſuch Inſtances do not make *an Uſage*, and the Governor muſt in that Point have been greatly miſinformed.

It is agreed, that in the Conceſſions mentioned by the Governor, the Proprietary reſerved in every *Hundred Thouſand* Acres *Ten* to himſelf; but then (to make the Governor's "plain Fact" a little plainer) he was to have it by Lot, and not by Choice; the Quantity ſo reſerved was to lie *but in one Place*; and he was "bound to plant or man it with-"in Three Years after it was ſet out and ſurveyed;" or elſe (by the next Conceſſion) it was "lawful for New-comers to ſettle thereupon, and he to go higher up for his "Share." This might induce him not to take up more than he could conveniently ſettle; but can give his Succeſſors no Right to pick here and there the beſt vacant Pieces among the Settlements, excluding other Rights; nor to keep the Land-Office ſhut, as was done after the ſecond mentioned Purchaſe, till they had garbled the beſt Tracts for themſelves and Dependants, and left little beſides Rocks and barren Mountains for the reſt of the People. The third and laſt Purchaſe being made but the laſt Year, and the Land moſtly expoſed to, or, as the Governor has often informed us, in the Hands of the Enemy, we are ſurprized to hear that "great Numbers of People are ſeated on it to "their entire Satisfaction;" and more ſo, that the Proprietaries Manors and appropriated Tracts are *moſtly ſettled* by Perſons that pay their Share of all Taxes. If this be ſo, we muſt own ourſelves as much unacquainted with the State of his *Lands*, as we are with the State and Management of the *Land-Office*, which of late, indeed, is pretty much a Myſtery. That the Proprietaries are entitled to the Character of the *beſt Landlords*, we can by no Means preſume to ſay with the Governor; ſince his Majeſty's Lands are granted without Purchaſe Money, on Half the Quitrent, and the Quitrents are applied to the Support of Government and Defence of the Country: We cannot therefore but be of Opinion, that the King is a much better Landlord.

If the Governor would pleaſe to conſider, that it does not fall to the Share of perhaps one Man in Five Hundred to be an Aſſeſſor during his whole Life, and that the Chance of being favoured or not by a ſucceeding Aſſeſſor, as he himſelf ſhall behave in that Office, is proportionably ſmall; and that the very little which can poſſibly be ſaved in *his* Part of the Tax, by unjuſtly enhancing that of the Proprietaries, is a Matter next to Nothing; the Governor certainly cannot have ſo ill an Opinion of Mankind, as to believe theſe Temptations can be ſufficient to induce a commonly honeſt Man to forſwear himſelf; and Aſſeſſors are ſeldom Men of the meaneſt Characters for Integrity. But ſurely, a Security that all the Peers in *Britain* think ſufficient with regard to the Equity of Taxation on their Eſtates, might be confided in by our Proprietaries; unleſs the People here are much more depraved than we can poſſibly conceive them to be.

Our

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Our Argument, that, *if all the Estates in* Britain *and her Colonies now bear or must bear a Tax to free the Proprietary Estate from Encroachments, that Estate itself ought not to be exempted*, the Governor calls, "*an invidious and ungrateful Insinuation!*" and asks, "Is "there nothing but this at Stake? Is it for a Tract of unsettled Country, belonging to "the Proprietaries of this Province, that the Eyes of all *Europe* are turned upon this "Continent, and such mighty Preparations making both by Sea and Land? Or, Gentle- "men, can you think that if the Enemy are suffered to keep up Fortifications in any "private Estate whatsoever within the Limits of this Province, you could preserve your "Estates, or the *English* Nation its Dominions? ——— What End then can such In- "sinuations serve, but to cool the Ardor of his Majesty's good Subjects in recovering the "Country unjustly taken from them, ——— as if they were contending for a Thing of "no Consequence, which is but too much the Opinion of many amongst us, raised and "confirmed no Doubt by your strange Conduct." Had we asserted that the Proprietary Estate *only* was in Danger, and argued thence, that that Estate *alone* ought therefore to pay for its Recovery or Security, all this Strain of the Governor's Eloquence might then have been very just and proper: But, may it please the Governor, we *did think* there was something else at Stake; we thought other Estates in Danger, and therefore offered a very large Sum, as our Share of the Expence, in the Bill for granting *Fifty Thousand Pounds* to the King's Use. But we thought the Proprietary Estate at least as much in Danger as any other Estate, and therefore imagined it ought to pay its Proportion towards the Expence of its own Security. The Governor, it seems, thinks otherwise, and because other Estates are *likewise* in Danger, the Proprietary Estate ought to be *exempted*; and unless we will agree to recover and defend that *gratis*, we shall not be permitted to raise Money for the Defence of our own Estates, our Neighbours, or our Sovereign's Dominions. This is our present Situation, and we cannot help it; for the Proprietary Instructions are, it seems, as unalterable as the Laws of the *Medes* and *Persians*. But let it be known to them, and to all, it *is not* our Insinuation, invidious as it may seem to the Governor, and ungrateful to his Ears, that cools the Ardor of his Majesty's good Subjects; but if any Thing cools that Ardor it must be the *Fact insinuated*, the Proprietaries claiming that invidious and odious Distinction, of being exempted from the common Burdens of their Fellow-Subjects. If there be any who think the Nation is contending for a Thing of no Consequence, it must be those who refuse to contribute their Share, and not we who offer largely —— and that Opinion in others, if such an Opinion there be, must be raised and confirmed by the Governor, and Proprietaries *strange Conduct*, and not by ours.

The Governor says, we "lay to his Charge a *pretended* Estimate (of the Expence of "cutting the Roads) of which he is totally ignorant, having *never seen* nor *heard* of *one*." Is it possible that the Governor can have forgotten it? He told us in his Message of the Eighteenth of *March*, that he had "appointed Commissioners to reconnoitre the Coun- "try, mark out where such Roads might most conveniently be made, and make Re- "port to him of their Proceedings, with an *Estimate of the Expences* that would attend "the Opening and Clearing them." On the Application of the Governor, in that Message, the House sent up a Bill, giving *Twenty-five Thousand Pounds* to the King's Use, wherein, among other Things, the *Clearing of Roads* for the King's Service was provided for. But, may it please the Governor, did the Commissioners never comply with their Instructions, and make that Estimate? Or, if they made it, did the Governor never lay it before the House? 'Tis true we have not that Estimate now in our Possession; it was returned again to the Governor; but we all remember the Sum, and that it was *Eight Hundred Pounds*. If it was indeed, as the Governor says it might possibly be, "only some Mens private Opinion," yet it was *an Estimate*, and sent to us by the Governor; whether made by the Commissioners, or by others, we have not said (though we think it was by the Commissioners) nor is it material: However, we have remaining in the House a subsequent Letter from one of the Commissioners, to the Secretary, dated *May* the Third, which says, "We sent you a Draught of the Road both to the Waters of "the *Yohiogani* and to the Camp, with all the principal Places marked that occured to us, "with the Amount of the Charges of laying out both, *and an Estimate of the Expence* "of opening and bridging the Road to the *Yohiogani* from the *Tuscarora* Mountain: "That to the Camp will not cost so much in Proportion to its Length, because it is "less hilly; but we expect Amendments upon it, so as to come into the other near "the Top of *Sideling Hill*, and avoid two Crossings of *Juniata*, and also to cut off se- "veral Miles between the *Devil's Hole* and the Camp. *Both Roads will leave little of* "Fifteen Hundred Pounds; for it is impossible to tell what Expence unexpected Oc- "currences will arise to." —— By this it appears, that an *Estimate* was made by the Commissioners, and that the Governor either "saw or heard of it" seems probable, since he sent down this very Letter to the House; at least he must have heard of the *second Estimate*, contained in this Letter, that "*both Roads* would leave little of *Fifteen* "*Hundred Pounds*." The House however voted still to bear the Expence of cutting

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But the Governor is pleaſed to tell us, not only that we charged him with an Eſtimate that he never ſaw, but likewiſe that we "charged him with a Demand that he never "made." We happen, however, to have the Original Letter from his Commiſſioners, which he laid before the Houſe on the Ninth of *Auguſt*, wherein are theſe Words: "*Shippenſburg, Auguſt* 4, 1755. Honoured Sir, We have appointed a Meeting of the "Commiſſioners for the Roads leading to the *Ohio*, at this Town To-day, in order to fall "upon Meaſures to provide Money for the Payment of the Labourers, *&c.* employed in "the Service of the Roads; and we have thought of this Expedient (with Submiſſion "to your Honour's better Judgment) that ſome Perſon or Perſons ſhould be appointed "by your Honour to bring up Money, and to be ſatisfied with our Settlement of the "Accounts.——We cannot at preſent inform your Honour of the juſt Sum of Money "that will be wanted for the above Purpoſe; but we think it will amount to *Five Thou-* "*ſand Pounds*. As the People are much in Want of Money, *we ſhould be glad how ſoon* "*the Money can be ſent*, &c."——This Letter was ſigned by the ſix Commiſſioners, and ſent down to the Houſe by the Governor; to what End, unleſs that we might furniſh him with the Sum required? Yet now he knows nothing of this Demand, and is pleaſed to ſay, "it could not have been then made by any one, becauſe the Accounts were not "come in," as if a Demand in Part was a Thing impoſſible, before a Settlement. The Accounts however are at length come in, and under Examination, and it will now ſoon be ſeen, what Cauſe we ſhall have to commend the Governor's or the Commiſſioners Frugality: And we hope we ſhall not be backward to do it Juſtice.

The Governor's Judgment of our Motives to engage in this Work of opening the Roads, ſeems to us a very uncharitable one, but we hope to find more equitable Judgement elſewhere. We are obliged to him, however, for owning that we did engage in it at all. For as he is pleaſed to lay it down as a Maxim that we are very wicked People; he has ſhewn in other Inſtances, when we have done any Good, that he thinks it no more Injuſtice to us to *deny the Facts*, than now to deny the Goodneſs of our Motives. ——He would however think himſelf ill uſed, if any Part of his Zeal in that Affair was aſcribed to the Menaces directed to him; or to a View of accommodating by the new Road the Lands of the Proprietaries new Purchaſe, and by that Means encreaſing the Value of their Eſtate at our Expence.

The Governor is next pleaſed to tell us, "that we have taken *great Pains* to *infuſe* "into the Minds of the People, particularly the *Germans*, that the *Government* have "Deſigns to abridge them of their Privileges, and to reduce them to a State of Slavery. "That this may, and will, alienate their Affections from his Majeſty's Government, and "deſtroy that Confidence in the Crown and its Delegates, which, at this Time, is par- "ticularly neceſſary, and render all the Foreigners among us very indifferent as to the "Succeſs of the *French* Attempts upon this Continent, as they cannot be in worſe Cir- "cumſtances under them, than we have taught them to expect from the King's Go- "vernment." And a little lower he tells us, "that we ſcruple not to ſtir up his Ma- "jeſty's Subjects againſt his Government, forgetting all Duty to our Sovereign, and all "Decency to thoſe in Authority under him." Theſe are very heavy Charges indeed! But can the Governor poſſibly expect that any body will believe them? Can he even believe them himſelf?———We can indeed truly ſay it *with Confidence*, and the Governor may, if he pleaſes, call it "*our uſual Confidence*," that there is not a more dutiful, loyal and affectionate People to any Prince on Earth, than are the People, not only of this Colony, but of all the other *Britiſh* Colonies in *America*, to the beſt of Kings, his preſent Majeſty; and we cannot therefore forbear to ſay, that this Charge is a virulent Calumny, deſtitute of all Truth and Probability.———But what muſt we do to pleaſe this kind Governor, who takes ſo much Pains to render us obnoxious to our Sovereign, and odious to our Fellow-Subjects? Muſt we bear ſilently all theſe Abuſes? 'Tis too hard, But if we deny his Accuſations, and prove them falſe, this he calls "forgetting "all Decency to our Governor;" and if we complain of his Treatment, that is "ſtirring up his Majeſty's Subjects againſt his Government." No, may it pleaſe the Governor,

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Governor, we make a wide Distinction between the King's Government, and the Governor's Conduct; and we have Reason.——Every Deputy Governor is not the Prince, and some are very indifferent Representatives of him. Every Dislike of a *Governor's Behaviour* is not Dislike of *Government*; nor every Censure of a *Governor*, Disaffection to the *King*. And indeed the more a People love their Prince and admire his Virtues, the less they must esteem a Governor who acts unlike him.

That there is a Design in the Proprietaries and Governor, to abridge the People here of their Privileges, is no Secret. The Proprietaries have avowed it in their Letter to the House, dated *London, March* 2, 1741. The Doctrine that it is necessary, is publicly taught in their *Brief State*; and the Governor himself has told us, that we have more than is suitable for a dependent Colony. It is these Proceedings that give Jealousy to the People, but do not however alienate their Affections from *his Majesty's* Government, though they may from *the Proprietaries*. Their "Confidence in the Crown" is as great as ever; but when the Delegates of Power are continually abusing and calumniating the People, it is no Wonder if they lose all "Confidence" in such Delegates.

The Governor can think himself at Liberty to tell us, That "we stir up his Majesty's "Subjects against his Majesty's Government, forgetting all Duty to our Sovereign;" and yet if we only tell him, that the Difficulties he meets with, are not owing to those Causes, which indeed have no Existence, but to his own Want of Skill and Abilities for his Station, he takes it extremely amiss, and says, "we forget all Decency to those "in Authority." We are apt to think there is likewise some Decency due to the Assembly, as a Part of the Government, and though we have not, like the Governor, had a Courtly Education, but are plain Men, and must be very imperfect in our Politeness, yet we think we have no Chance of improving by his Example. —— Skill and Abilities to govern, we apprehend fall to the Share of few; they may possibly be acquired by Study and Practice, but are not infused into a Man with his Commission; he may without them be a wise and able Man in other Affairs, and a very good and honest Man in general. But those "who stir up his Majesty's Subjects against his Government, and "forget all Duty to their Sovereign," as the Governor says we do, must be *Traitors* and *Rebels*, a Character that includes the highest Folly with the greatest Wickedness. The World will judge which of these Charges is most *decent*, as well as most true, and we shall leave it to their Judgment.

The Governor is pleased to repeat the Charge of our "*taking upon us great and mighty* "*Powers*," and to say, *Since you call upon me to particularize them, I shall gratify you.* ——We apprehend it is rather to gratify himself; for lest these Particulars should seem to be brought in improperly, the Governor says, we *call upon him for them*. We cannot find any such Call in our Message; but if there were, it was a very unnecessary One; for the Governor has so accustomed us to find some of these Charges in almost every Message, and so delights in renewing them, after repeated Refutations, that we might have expected them as Matters of Course. *You have created a Paper Currency of your own*, &c. This stale Charge was fully refuted in our Message of the Seventeenth of *May* last, and now repeated without taking the least Notice of that Refutation. *You pay your own Wages out of the Provincial Money, when the Law requires and provides for their being paid in another Manner*. This Charge is premature, as we have not yet paid ourselves any Wages out of any Money. We gave the Governor, indeed, *Five Hundred Pounds* out of this Provincial Money, though the Law requires and provides for his being supported by Licences of Public Houses, Fees, *&c.* but that he might be sure of being right, he took both. The plain State of the Matter is this; By the County Levy Act, the Commissioners and Assessors are directed "to adjust and settle the Sum and Sums "of Money which ought OF NECESSITY to be raised yearly, to pay for Representa-"tives Service in General Assembly, and to defray the Charges of Building and Repair-"ing of Court-houses, Prisons, Work-houses, Bridges and Causeways, and for de-"stroying of Wolves, *&c.* and to lay a Tax for these Purposes."——But other Acts of Assembly having directed that the Provincial Money, arising from the Loan-Office and Excise, "shall be disposed of as the Assembly of this Province shall direct and appoint," former Assemblies have, for many Years past, paid Provincial Charges, and the Public Salaries out of that Provincial Money, and among others, their own small Wages. Hence it happened, that the Wages being otherways paid, the Commissioners and Assessors found no *Necessity* of raising a Tax for that Purpose, and therefore have not done it, being no more obliged to do it without such *Necessity*, than to tax for building Court-houses when they have them already built, or to repair them when they need no Repairs; or to pay for Wolves Heads when none are killed.——As to the other Charge of not keeping the Borrowers in the Loan-Office strictly up to their yearly Payments as the Law required, we beg Leave to say, that we cannot think this House is strictly accountable for all the Faults of their, any more than the Governor for the Faults of his, Predecessors; nor that every Forbearing to execute a Law is properly called dispensing with Law. If it were, the Executive Power in most Governments is greatly chargeable

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with the ſame Offence. For our Parts, whom the Governor is pleaſed to *load with this Charge*, we did in *May* laſt expreſsly order the Truſtees to uſe the utmoſt of their Care and Diligence to collect the outſtanding Quotas, and, to quicken them, drew Orders on them nearly for the Amount; but as a ſevere Execution of that Law would in ſome Caſes have been extremely injurious, as the Evil had been almoſt imperceptibly growing, and gradually ſtole upon the Aſſemblies in a long Courſe of Years; and as a ſudden Sale of all delinquent Eſtates to recover their reſpective Quotas, would have been the Ruin of many; and no Depreciation of the Money or other conſiderable Inconvenience has followed the Forbearance, we conceive that former Truſtees and Aſſemblies, who gained nothing to themſelves by this Indulgence of the People, though not free from Blame, deſerve a leſs ſevere Cenſure than the Governor is diſpoſed to beſtow upon them. The Charge perhaps amounts to little more than this, that they did not exact from the People the Payments that by Law they ought to have exacted; which the Governor calls *diſpenſing with a Law:* They are not, however, chargeable with *Exacting Money from the People* which *by Law* they had *no Right to exact*, as we apprehend the Governor does, in the Fees for Marriage Licences, by which many *Thouſand Pounds* have been drawn from the Inhabitants of this Province. If this be not *diſpenſing with Law*, 'tis *making Law*, and we preſume the Governor *alone* has no more Right to do the one, than the Aſſembly *alone* the other. —— The laſt of this String of Charges, " that we have " taken upon us to adminiſter the Affirmation to our Clerk, and ſeveral of our Members " not *Quakers*" is a *total Miſtake* in Point of Fact. As an Aſſembly we diſclaim any Right of adminiſtring either an Affirmation or an Oath; and have never adminiſtred an Oath or Affirmation to our Clerk, or any Member; but whenever an Oath or Affirmation is adminiſtred in the Houſe, it is done by a Juſtice of the Peace. And our Members are always qualified according to Law.

The Governor is pleaſed to ſay, " we have *often mentioned* what we have done to pro- " mote the Succeſs of his Majeſty's Arms under General *Braddock*." We own that we have often mentioned this, but we have been forced to it by the Governor's aſſerting as often in his Meſſages, contrary to known Fact, that we *had done nothing, and would do nothing* of that Kind. But it ſeems *we take to ourſelves the Services of particular Men, in which*, the Governor ſays, *we had no Hand*; and adds, " that had we *in Time* opened " the proper Roads, raiſed Men, and provided Carriages, and neceſſary Proviſions for " the Troops, we might now have been in peaceable Poſſeſſion of Fort *Duqueſne*." We beg Leave to aſk the Governor, Has the Body no Share in what is done by its Members? Has the Houſe no Hand in what is done by its Committees? Has it no Hand in what is done by Virtue of its own Reſolves and Orders? Did we not, many Weeks before the Troops arrived, vote *Five Thouſand Pounds* for purchaſing freſh Victuals, and other Neceſſaries for their Uſe? Did we not even borrow Money on our own Credit to purchaſe thoſe Proviſions when the Governor had rejected our Bill? Will the Governor deny this, when he himſelf once charged it upon us as a Crime? Were not the Proviſions actually purchaſed by our Committee, the full Quantity required by the Commiſſary, and carried by Land to *Virginia* at our Expence, even before they were wanted? Did the Army ever want Proviſions, till they had abandoned or deſtroyed them? Are there not even now ſome Scores of Tons of it lying at Fort *Cumberland* and *Conegochieg?* Did the Governor ever mention the Opening of Roads to us before the Eighteenth of *March*, though the Requiſition was made to him by the Quarter Maſter General in *January?* Did we not in a few Days after ſend him up a Bill to provide for the Expence, which he refuſed? Did not the Governor proceed nevertheleſs to appoint Commiſſioners, and engage Labourers for opening the Road, whom we afterwards agreed to pay out of the Money we happened to have in our Power? Did the Work ever ſtop a Moment through any Default of ours? Was the Road ever intended for the March of the Troops to the *Ohio?* Was it not merely to open a Communication with this Province, for the more convenient ſupplying them with Proviſions when they ſhould be arrived there? Did they wait in the leaſt for this Road? Had they not as many Men as they wanted, and many from this Province? Were they not more numerous than the Enemy they went to oppoſe, even after the General had left near Half his Army fifty Miles behind him? Were not all the Carriages they demanded, being One Hundred and Fifty, engaged, equipt, and ſent forward in a few Days after the Demand, and all at *Wills's* Creek many Days before the Army was ready to march? With what Face then, of Probability, can the Governor undertake to ſay, " That had we *in Time* opened the proper Roads, raiſed Men, and " provided Carriages, and neceſſary Proviſions for the Troops, we might now have " been in peaceable Poſſeſſion of Fort *Duqueſne?*"

The Governor is pleaſed to doubt our having ſuch Letters as we mentioned; we are therefore, in our own Vindication, under a Neceſſity of quoting to him ſome Parts of them; and will ſhew him the Originals whenever he ſhall pleaſe to require it. The General's Secretary, in his Letter, of the Tenth of *May*, to one of our Members (who, in Purſuance of a Reſolve of the Houſe, for the Service of the Army, waited on the General

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at *Frederic*, and there occasionally undertook the furnishing of Waggons, which he performed with the Assistance of some other Members of the Committee, and for that, and other Services to the Troops, received the Thanks of the House at his Return) says, "You have done us *great Service* in the Execution of the Business you have kindly undertaken; and indeed without it, *I don't see how the Service could have been carried on*, as the Expectations from *Maryland* have come to nothing." And again, in his Letter of *May* the Fourteenth, "The General orders me to acquaint you, that he is greatly obliged to you, for the great Care and Readiness with which you have executed the Business you undertook for him. At your Request he will with Pleasure discharge the Servants that may have inlisted in the Forces under his Command, or any others for whom you may desire a Discharge; and desires that you would for that Purpose send him their Names." And again, in his Letter of *May* the Twentieth, "I have only Time to thank you once more, in the Name of the General, and every body concerned, for the Service you have done; which has been conducted throughout with the greatest Prudence and most generous Spirit for the Public Service." The General's own Letter, dated the Twenty-ninth of *May*, mentions and acknowledges the Provisions "*given by the* Pennsylvanian *Assembly*" [though the Governor will allow us to have had "no Hand" in it] and says, "Your Regard for his Majesty's Service, and Assistance to the present Expedition, deserve my sincerest Thanks, *&c.*"——Colonel *Dunbar* writes, in his Letter of *May* the Thirteenth, concerning the Present of Refreshments and Carriage-Horses sent up for the Subalterns, "I am desired by all the Gentlemen, whom the *Committee* have been so good as to think of in so genteel a Manner, to return them their *hearty Thanks*." And again, on the Twenty-first of *May*, "Your kind Present is now all arrived, and shall be equally divided To-morrow between Sir *Peter Halket's* Subalterns and mine, which I apprehend will be agreeable to the *Committee's* Intent. This I have made known to the Officers of both Regiments, who unanimously desire me to return their generous Benefactors their most *hearty Thanks*, to which be pleased to add mine, *&c.*" and Sir *Peter Halket*, in his of the Twenty-third of *May*, says, "The Officers of my Regiment are most sensible of the Favours conferred on the Subalterns *by your Assembly*, who have made them so well-timed and so handsome a Present. At their Request and Desire I return *their Thanks*, and to the Acknowledgements of the Officers, beg Leave to add mine, which you, I hope, will do me the Favour for the Whole to offer *to the Assembly*, and to assure them that we shall on every Occasion do them the Justice due for so seasonable and well-judged an Act of Generosity." There are more of the same Kind, but these may suffice to shew, that we had "some Hand in what was done," and that we did not, as the Governor supposes, deviate from the Truth, when, in our just and necessary Vindication against his groundless, cruel and repeated Charge, "that we had *refused* the proper, necessary and timely Assistance to an Army sent to protect the Colonies," we alledged "that we had supplied that Army plentifully with all they asked of us, and more than all, and had Letters from the late General, and other principal Officers, acknowledging our Care, and thanking us cordially for our Services."——If the General ever wrote differently of us to the King's Ministers, it must have been while he was under the first Impressions given him by the Governor to our Disadvantage, and before he knew us; and we think with the Governor, that if he had lived, he was too honest a Man not to have retracted those mistaken Accounts of us, and done us ample Justice.——

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The Governor concludes with telling us, that "if our Minutes be examined for Fifteen Years past, in them will be found more frivolous Controversies, unparalleled Abuses of Governors, and more Undutifulness to the Crown, than in all the rest of his Majesty's Colonies put together." The Minutes are printed, and in many Hands, who may judge on examining them whether any Abuses of Governors and Undutifulness to the Crown are to be found in them. *Controversies*, indeed, there are too many; but as our Assemblies are yearly changing, while our Proprietaries, during that Term, have remained the same, and have probably given their Governors the same Instructions, we must leave others to guess from what Root it is most likely that those Controversies should continually spring. As to *frivolous* Controversies, we never had so many of them as since our present Governor's Administration, and all raised by himself; and we may venture to say, that during that one Year, scarce yet expired, there have been more "unparalleled Abuses" of this People, and their Representatives in Assembly, than in all the Years put together since the Settlement of the Province.

We are now to take our Leave of the Governor; and indeed, since he hopes no Good from us, nor we from him, 'tis Time we should be parted. If our Constituents disapprove our Conduct, a few Days will give them an Opportunity of changing us by a new Election; and could the Governor be as soon and as easily changed, *Pennsylvania* would, we apprehend, deserve much less the Character he gives it, of *an unfortunate Country*."

And the said Message being signed by the Speaker, by Order of the House,

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Ordered, That *Joſeph Gibbons* and *John Wright* wait upon the Governor with the ſame.

Ordered, That the Governor's Meſſage of the Twenty-fourth Inſtant, and the Meſſage of the Houſe in Anſwer thereto, be printed in the *Pennſylvania Gazette*.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they had been at the Governor's Houſe, and that a Servant informed them the Governor was out of Town, and would not be at Home this Evening.

Ordered, That the ſame Members go to the Secretary's, and enquire when the Governor is expected in Town; and if the Secretary ſhould ſay that he did not expect the Governor in Town To-morrow, leave the Meſſage of the Houſe with the Secretary, and deſire he would deliver it to the Governor when he returns.

The Gentlemen return, and report, that they had been at the Secretary's, according to Order; and that the Secretary informed them, that the Governor was gone to *Rocky-Hill*, in the Province of *New-Jerſey*, and that he did not expect him Home till *Friday* next; but that he would receive the Meſſage of the Houſe, and deliver it to the Governor as ſoon as he returned; whereupon the Gentlemen left the ſaid Meſſage with the Secretary.

The Meſſages from the Governor, concerning the Application of the Eaſtern Governments for Proviſions, being again read, and conſidered,

Reſolved, N. C. D. That when Application is made to this Houſe by the Governor, for ſomething to be done at the Requeſt of another Government, the Letters and Papers that are to be the Foundation of our Proceedings on ſuch Application, ought to be, as they have been by all preceding Governors, laid before the Houſe for their Conſideration.

Reſolved, N. C. D. That a Sight afforded to the Speaker, or a few of the Members, of Papers remaining in the Governor's Hands, cannot be ſo ſatisfactory to the reſt of the Houſe, nor even to the Speaker, and ſuch Members, as if thoſe Papers were laid before the Houſe, where they might receive ſeveral diſtinct Readings, and be ſubject to repeated Inſpection and Diſcuſſion till they were thoroughly underſtood; and all Danger of Miſtakes and Miſconceptions through Defect of Attention or of Memory, in one or a few Perſons, effectually prevented.

Reſolved, N. C. D. That great Inaccuracies and Want of Exactneſs have been frequently obſerved by the Houſe in the Governor's Manner of ſtating Matters, laid before them in his Meſſages; and therefore they cannot think ſuch Meſſages, without the Papers therein referred to, are a ſufficient Foundation for the Houſe to proceed upon, in an Affair of Moment, or that it would be prudent or ſafe ſo to do, either for themſelves or their Conſtituents.

Reſolved, N. C. D. That though the Governor may poſſibly have obtained Orders not to lay the Secretary of State's Letters in ſome Caſes before the Houſe, they humbly conceive and hope that Letters from the neighbouring Governments, in ſuch Caſes as the preſent, cannot be included in thoſe Orders.

Reſolved, N. C. D. That when an immediate Aſſiſtance to neighbouring Colonies is required of us; to interrupt or prevent our Deliberations, by refuſing us a Sight of the Requeſt, is a Proceeding extremely improper and unſeaſonable.

But a Member of this Houſe producing a Letter to himſelf from the Honourable *Thomas Hutchinſon*, Eſq; a Perſon of great Diſtinction and Weight in the Government of the *Maſſachuſetts-Bay*, and a Member of the Council of that Province, mentioning the Application to this Government for Proviſions, and the Neceſſity of an immediate Supply: And it appearing by the Reſolution of the Council of War, held at the Carrying Place, on the Twenty-fourth paſt (an Abſtract of which is communicated to the Speaker, by the Honourable *Thomas Pownal*, Eſq; Lieutenant Governor of the *Jerſeys*) that the Army will be in Want of Blankets and other Cloathing, ſuitable to the approaching Seaſon; and this Houſe being willing to afford what Aſſiſtance may be in their Power, under their preſent unhappy Circumſtances of an exhauſted Treaſury, and a total Refuſal by the Governor of their Bills for raiſing Money;

Reſolved, That a voluntary Subſcription of any Sum or Sums, not exceeding *Ten Thouſand Pounds*, which ſhall be paid by any Perſons into the Hands of *Iſaac Norris*, *Evan Morgan*, *Joſeph Fox*, *John Mifflin*, *Reeſe Meredith* and *Samuel Smith*, of the City of *Philadelphia*, Gentlemen, within two Weeks after this Date, towards the Furniſhing of Proviſions, and Blankets, or other warm Cloathing, to the Troops now at or near *Crown-Point*, on the Frontiers of *New-York*, will be of Service to the Crown, and acceptable to the Public, and the Subſcribers ought to be thankfully reimburſed (with Intereſt) by future Aſſemblies, to whom it is accordingly by this Houſe earneſtly recommended.

The Speaker read to the Houſe a Paper containing ſome Authorities relating to the Rights of the Commons of *Great-Britain* over Money Bills, and in ſupport of the Bill paſſed by this Houſe for granting *Fifty Thouſand Pounds* to the King's Uſe, ſo far as the ſaid Bill relates to the Taxing the Proprietaries Eſtate within this Province. —— And the

Speaker

Speaker being requested by the House to let the same be entered upon the Minutes, consented thereto; and it accordingly follows in these Words, *viz.*

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The Speaker's Paper of Authorities relating to Money Bills.

THE Governor, in his Message of the Thirteenth of *August* last, asserts, "That as "our Proprietaries (being hereditary Governors of this Province) have no Vote in "chusing Representatives in the Assembly, therefore it is not consistent with the *British* "Constitution that their Estates here should be liable to pay Taxes." And in Answer to the Privilege we claim, of having our Bills granting Supplies passed as they are tendered, without Alterations, the Governor in his Message of the Twenty-fourth Instant says, that this Claim is not warranted by Charter; to which the House very justly replied on the Twenty-ninth, "that the Charter gives us all the Powers and Privileges of "an Assembly, according to the Rights of the Free-born Subjects of *England*, and as "is usual in any of the King's Plantations in *America*. If the Free-born Subjects of "*England* do not exercise this Right, and it is not usual in any of the King's Plantations "in *America*, then we are in the Wrong to claim it, and the Governor is in the Right "in denying it."

The Governor in the Beginning of his Administration has solemnly promised, "that "he would upon all Occasions be studious to protect the People committed to his Charge "in all their Civil and Religious Privileges." So far then, as these Privileges belong to the People and their Representatives, from known Facts and unexceptionable Authorities, so far the Governor must have failed of his Promise in the Protection we have a Right to from the Duty of his Station, and our Charters, and the Laws of this Province.

The Practice of the other Plantations in *America*, and particularly very late Instances of his Majesty's Colony of *New-York*, on Money Bills, are against the Governor; but I shall chuse to confine myself to the Rights of the House of Commons, to which we are entitled by our Provincial Charter, confirmed by a Law passed in the Fourth Year of the late Queen ANNE, for ascertaining the Number of Members of Assembly, &c. which enacts, in the Words of the Charter, "That the Representatives chosen and met accord-"ing to the Directions of that Act, shall have Power to chuse a Speaker, and other "their Officers; and shall be Judges of the Qualifications and Elections of their own "Members, sit upon their own Adjournments, appoint Committees, prepare Bills in "order to pass into Laws, impeach Criminals, and redress Grievances; and shall have "all other Powers and Privileges of Assembly according to the Rights of the Free-born "Subjects of *England*, and as is usual in any of the Queen's Plantations in *America*." Ch. Com. Deb. Vol. III, Pag. 311. &c.
The House of Commons then do claim, by the Law and Usage of Parliament, the Right of determining their own Elections, and consequently, and necessarily, the Right of the Electors to vote; and in Virtue of this Right it appears by the Journal of the House of Commons, Vol. XIII. Page 326, that no Peer of the Realm hath any Right to give his Vote in the Election of any Member to serve in Parliament. The same was again unanimously resolved in the Beginning of the sixth and last Parliament of King WILLIAM III, with an additional Resolve, "That for any Lord of Parliament, or any Lord Lieute-"nant of any County, to concern themselves in the Elections of Members to serve for "the Commons in Parliament, the same is a high Infringement of the Liberties and "Privileges of the Commons of *England*." The same unanimous Resolves appear in the first Parliament of Queen ANNE, and in the Beginning of every Parliament to the Ninth of King GEORGE, where our Journals end. And it is a standing Order of the House of Commons, "That no Peer hath a Vote in the Election of a Commoner;" Nevertheless the Commons assert, "that the Grant of all Aids to the King is by the "Commons, and that the Terms, Conditions, Limitations and Qualifications of such "Grants have been made by the Commons only." And upon a particular Order to a Committee 30 CAR. II. that they should prepare and draw up a State of the Right of the Commons in granting of Money, and how those Rights might be asserted: The House of Commons, upon their Report, resolve "that all Aids and Supplies, and Aids to "his Majesty in Parliament, are the sole Gift of the Commons; and all Bills for the "Granting any such Aids and Supplies, ought to begin with the Commons; and that "it is the undoubted and sole Right of the Commons, to direct, limit and appoint in "such Bills, the Ends, Purposes, Considerations, Conditions, Limitations and Qua-"lifications of such Grants, which ought not to be changed or altered by the House of "Lords." The House of Commons have been always extremely careful of this valuable Right, as upon the Bill for an additional Duty on Coffee, &c. 1st of WILLIAM and MARY; and the Bill for the Sale of the forfeited Estates in *Ireland*, and indeed upon all Occasions upon Money Bills.

Jour. H.Com. Vol. XIII, Page 684.

Id. Vol. XIV, Page 4.

Ch. Com. Deb. Vol. III, Page 330. Jour. H.Com. Vol. IX, Page 420.

Jour. H.Com. Vol. IX, Page 509.

Upon the Bill for appointing Commissioners to examine and state the Public Accounts, "the House of Commons were fully sensible, and thought the Bill so useful at that "Time, as could not be sufficiently expressed; yet nothing could be of greater Impor-"tance to the Public than the Maintaining the just and distinct Rights and Privileges

Ch. Com. Deb. & Jour. H. Com. Vol. XIV, Page 198.

"which

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" which each Eſtate of the Kingdom enjoyed according to their Conſtitution; that the " Lords had many high Privileges to recommend their Lordſhips to the Favour of their " Prince, and to ſupport their Figure in the Government, but the Commons had little " beſides that One of giving Money and granting Aids, which was their undoubted and " inherent Right, and therefore every Thing that intrenched upon *that* the Commons " might be allowed to be extremely jealous of."

As it would be dangerous to proceed in the Subject now before us without Authorities, I ſhall add the Continuation of *Rapin's Hiſtory of* England by *Tindal*, Vol. III, Page 231, and the Record relating to the ſame Controverſy between the Houſe of Lords and Commons, as it lies upon the Journals of the Commons, in the Fourth Seſſion of King WILLIAM's ſecond Parliament.

Tindal ſays, That the Lords added a Clauſe to the Money Bill ſent up by the Commons, by which they taxed themſelves. That Clauſe was diſagreed to by the Commons, *Nemine Contradicente*, as an Encroachment on their Rights in the Article of giving Money, and ſent to the Lords to deſire a Conference thereupon; to whom they repreſented, " That the Commons had diſagreed to the Clauſe added by their Lordſhips to " the Money Bill, as being a notorious Encroachment upon the Rights of the Houſe of " Commons to order and ſettle all Matters relating to the Giving of Money, which " their Anceſtors had been ſo jealous of; that they thought it a Diminution of this their " fundamental Privilege to give their Lordſhips any Reaſon for ſupporting it;" and their Lordſhips, after a long Debate, reſolved to recede from the ſaid Clauſe by ſo great a Majority, that the Houſe did not divide upon it——and ſo dropped the Clauſe.

Vol. X, Page 780.

On the Journals of the Houſe of Commons it appears, " That the Lords had agreed " to the Bill, entituled, *An Act for granting to their Majeſties an Aid of* Four Shillings *in* " *the Pound*, &c.——with an Amendment, Provided, nevertheleſs, that all and every " the Peers that are to be rated by Virtue of this Act, for their Offices or perſonal Eſtate, " ſhall be rated by *Thomas*, Earl of *Pembroke*, Lord Privy Seal, *George*, Marquis of *Hal-* " *lifax*, *William*, Earl of *Devon*, Lord Steward of the Houſhold, *Charles*, Earl of *Shrews-* " *bury*, &c. &c. or any five of them, and not otherwiſe; and ſhall not be ſubjected to " the Impriſonment of his or their Perſons, any Thing in this Act contained to the con- " trary notwithſtanding. Provided alſo, and it is hereby declared, that the ſeveral Rates " and Taxes to which the Lords and Peers of this Realm ſhall be liable, by Virtue of this " Act, ſhall be received by a Collector to be nominated by the Peers; which ſaid Col- " lector ſhall cauſe the ſame to be paid into his Majeſty's Receipt of Exchequer, on " or before the Twenty-fifth Day of *March*, 1693." And the Queſtion being put, that the Houſe do agree with the Lords in the ſaid Amendment? It paſſed in the Negative. ——And by Order of the Houſe, Sir *Thomas Clarges* reported the Reaſons to be offered at a Conference with the Lords, " That the Right of granting Supplies to the " Crown is in the Commons alone as an eſſential Part of their Conſtitution, and the Li- " mitation of all ſuch Grants, as to the Matter, Manner, Meaſure and Time, is only " in them, which is ſo well known to be fundamentally ſettled in them, that to give " Reaſons for it, has been eſteemed by our Anceſtors to be a weakening of that Right, " and the Clauſe ſent down by their Lordſhips was a manifeſt Violation thereof;" And an Amendment being propoſed to leave out "*Violation*," and inſert "*Invaſion*" inſtead thereof, the ſame was, upon the Queſtion put thereupon, agreed unto by the Houſe.

Id. ib. Page 784.

And after ſeveral Conferences, Mr. Attorney-General reported, " That their Lordſhips " did not inſiſt upon their Proviſoes."

From theſe Records and Authorities, as well as known Facts, I apprehend it clearly appears, that the Lords do not vote in the Election of a Commoner to ſerve in Parliament, nor intermeddle therein: And that the Houſe of Commons have a Right in Money Bills, that they are to be aſſented to or rejected by the Lords without Alterations or Amendments. I will now add ſuch other Acts and Authorities as may further ſhew, that the King's Fee Farm Rents, the Palaces of *St. James's*, *Whitehall*, *Somerſet-houſe*, &c. and the Regalities of *Wales* and *Cheſter*, and even the Civil Liſt Revenue, are, and have been, occaſionally ſubjected to be charged by Acts of Parliament for the Public Uſes.

See Bp. *Worceſter's* Caſe, Jour. H. Com. Vol. XIV, Page 37. & *alibi*.

It is well known, that before the Revolution the whole ſtanding Income of the State was in the Power and Diſpoſal of the Crown, and was called the Revenue of the Crown; there was then no Diſtinction of what was to be allotted to the King's Uſe, and what for the Service of the Public, by which Means the King might reſerve what Part he thought fit for his own Deſigns, and employ no more than he pleaſed for the Purpoſes of the Nation: Accordingly it was found, after the Reſtoration, the Public Revenue had been conſtantly embezzled, and immenſe Sums very often ſunk, without being applied to the Uſes for which they were granted; it was therefore wiſely concerted, after the Revolution, for the Security of the Nation from perpetual Miſapplications of the Public Money, to allot a ſeparate Income for the Maintenance of the King's Houſhold, and the Support of his Dignity, which is now called the Civil Liſt, and to put the reſt of the Public Revenues entirely under the Command of the Parliament.

Tind. Cont. *Rap.*

It was not till the Ninth and Tenth of WILLIAM III. that the Civil Liſt was ſettled upon

upon the King for Life, though he had earneſtly deſired it, and had ſubjected that Revenue to be charged to the Uſes of the War. And on the Opening of the third Seſſions of the third Parliament, when they did ſettle it upon him during his Majeſty's Life, the King tells them, "That the Revenues of the Crown had been ſo anticipated by his Conſent for public Uſes, that he was wholly deſtitute of Means to ſupport the Civil Liſt:" Nevertheleſs, by an Act of the Twelfth and Thirteenth WILLIAM III. *Three Thouſand Seven Hundred Pounds* a Week (as the Neceſſity of the Public Affairs required it) was taken out of that Revenue "to be applied and diſpoſed of to and for the Public Uſes "during his Majeſty's Life." By an Act granting an Aid to her Majeſty by a Land-Tax, paſſed in the firſt Year of the Reign of Queen ANNE, for carrying on the War againſt *France*, the Receivers of the chief Rents of her Majeſty, and of the Queen Dowager, and the Receivers of any Perſons claiming under the Crown, were enjoined under ſevere Penalties to deduct their Taxes of *Four Shillings* in the *Pound* out of the ſaid Rents, and in like Manner the Fee Farm Rents of the Crown, the Palaces of *St. James's*, *Whitehall*, *Windſor-Caſtle*, and *Somerſet-houſe*, &c. are ſubjected to the Land Tax through all the ſucceeding Acts of Parliament. By an Act of the Firſt of King GEORGE, entituled, *An Act to enable his Majeſty to grant the Regalities of* North-Wales, South-Wales, *and County of* Cheſter, *to his Royal Highneſs the Prince of* Wales, &c. it is enacted, "That "it ſhall and may be lawful for the King's moſt excellent Majeſty, by Letters Patent, *&c.* to give and grant unto his ſaid Royal Highneſs all the ſaid Honours, "Caſtles, *&c.* within the Counties of *Flint*, *Denby*, *Montgomery*, *Carnarvon*, &c. and "the County *Palatine* of *Cheſter*, and every or any of them, which do now belong to "his Majeſty, his Heirs and Succeſſors, *&c.* —— ſo nevertheleſs that the ſame do not "extend to any Taxes, Aids or Revenues whatſoever granted or to be granted to the "Crown by Parliament, to or for any public Uſe or Uſes whatſoever; to have and to "hold the ſaid Honours, Caſtles, Lordſhips, Manors, Meſſuages, Lands, Tythes, Tenements, Rents, Hereditaments, Poſſeſſions and Premiſes, ſo to be granted as aforeſaid unto him the ſaid Prince, and his Heirs, Kings of *Great-Britain*; ſubject, nevertheleſs, to ſuch annual and other Payments and Incumbrances as are legally charged "thereupon, or uſually ſatisfied out of the Revenues of the ſame." And upon a Computation of the Revenues of the late Prince of *Wales*, in the Year 1736, when the Land-Tax was at *Two Shillings* in the *Pound*, the Deductions were *Five Thouſand Pounds* a Year for the Land Tax upon *Fifty Thouſand Pounds*, the *Six-penny* Duty to the Civil Liſt, and the Fees payable at the Exchequer, about *Two Thouſand Pounds* more; ſo that his nett Revenue on the *Fifty Thouſand Pounds* a Year, allowed him by the King, would not amount to more than *Forty-three Thouſand Pounds* yearly, beſides his Dutchy of *Cornwall*. By this Eſtimate we ſee the Royal Family, for what they received out of the Civil Liſt, were ſubject to Parliamentary Taxes, until it was otherwiſe provided by particular Acts; and indeed by the Seventh and Eighth of WILLIAM III. Chap. 17, Sect. 12, it is enacted, "That no Letters Patent, granted by the King's Majeſty, or any "of his Royal Predeceſſors, *&c.* ſhall be conſtrued or taken to exempt any Perſon, City, "Borough, *&c.* or any of the Inhabitants of the ſame, from the Burden and Charge of "any Sum or Sums of Money granted by the Act; and all *Non obſtantes*, in ſuch Letter "Patent made, or to be made, in Bar of any Act or Acts of Parliament for the Supply or "Aſſiſtance of his Majeſty, are declared to be void, and of none Effect." If upon theſe, and many other Authorities which might be adduced to the ſame Purpoſe, it ſhould appear, that the Revenues of the Crown, and of the Royal Family, are, and have been, ſubjected to the national Taxes of *Great-Britain*, as well as the Eſtates of all the Peers and Commoners of our Mother Country, from whence we derive ourſelves and our Conſtitution, it will be difficult to conceive any good Reaſons why our Proprietaries, and their great Eſtate in this Province, ſhould alone, of all his Majeſty's Subjects, be exempted from the Payment of Taxes for the Defence and Security of their own Eſtates. But our Governor is pleaſed to inform us, "That if we tax them at all, it muſt be as Proprie-"taries and Chief Governors, which is the only Capacity by which they are connected "with, or related to, the Inhabitants; —— that they hold the Government and Soil "under the ſame Grant, and their Title to both is centered in their Perſons, and can-"not be ſeparated, without deſtroying their Authority." Now we certainly have other Connections with *Thomas Penn*, and with *Richard Penn*, beſide their being Chief Governors; and I ſuppoſe they may ſeparately eject or commence Actions at Law for Rent, or other Actions, in his Majeſty's Courts within this Province, in their private Capacity, in the ſame Manner that other Inhabitants and Freeholders could do in like Caſes; and the Powers of Government might have deſcended through the eldeſt Branches of the Family, or either of our Proprietaries, without injuring their Property in the Soil: And in this Caſe, the Governor would have been ſufficiently authorized by Commiſſion under him, in whom the Powers of Government were veſted. But the Commiſſion of Property (which our Governors have not been concerned with till very lately) would have been inſufficient, unleſs executed by all who had a Property in the Lands, and is now

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Ch. 1. §. 23.

Jour. H. Com. Vol. XIV. Page 48.

Com. Deb. Vol. IX. Page 327. Hiſt. Reg. Vol. XXII. Page 387. *& ſeq.*

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now executed by the Governor by Virtue of that Commiſſion in Oppoſition to his Commiſſion as Lieutenant Governor, which expreſsly enjoins him not to grant Lands, or otherwiſe interfere with the Proprietaries Affairs of Property.

But to return, as it is evident that the Peers of *Great-Britain* do not vote in the Election of Members to ſerve in Parliament, yet their Eſtates are taxed by Bills of Aids, and Supplies to the Crown, which ariſe out of the Houſe of Commons; I am of Opinion, that the Concluſion the Governor draws from his Reaſoning in the Meſſage of the Thirteenth of *Auguſt* laſt, is in direct Oppoſition to the Rights and Uſage of the Houſe of Commons; and conſequently our offering a Bill, whereby the Proprietary Eſtate was to be taxed with all other Eſtates within this Province, was not againſt the very Principles of the *Britiſh* Conſtitution, as he would imagine.

'Have the Proprietaries, ſays the Governor, a Right to vote in the Election of Repreſentatives as Landholders? *Surely not*. Being hereditary Governors of the Province, and having a Vote in the Legiſlature by their own particular Repreſentative the Governor. How then came you by a Right to tax them as Fellow-Subjects and Landholders, ſeeing they had no Voice in chuſing you, nor were intitled to any, though Owners of Land in every County?'

To which it may be anſwered,

Have the Peers of *Great-Britain* a Right to vote in the Election of Repreſentatives as Landholders? *Surely not*. Being hereditary Peers of *Great-Britain*, and having a Vote in the Legiſlature by their own particular Repreſentation in the Houſe of Lords. How then came the Houſe of Commons by a Right to tax the Peers as Fellow-Subjects and Landholders, ſeeing they had no Voice in chuſing them, nor were intitled to any, though Owners of Land in every County?

"From the very Principles therefore (ſays the Governor) of the *Britiſh* Conſtitution, "you have no Right to tax them as Freeholders, or Fellow-Subjects." But all this Kind of Reaſoning ſerves only to eaſe us from the whole Force of it, and leaves the Governor to diſpute the Principles of the *Britiſh* Conſtitution with a *Britiſh* Houſe of Commons, before whom he will undoutedly think it his Duty to produce ſtronger Arguments than theſe. The Fallacy of this Manner of Reaſoning is very obvious.

The Knights, Citizens and Burgeſſes repreſent the whole Commons of *England*; but the Peers are preſent in Parliament for themſelves only: As it would be unjuſt to tax the Peers if they had no Repreſentation in the Legiſlature, by which they might give their Conſent; ſo it would be equally unjuſt to tax the Proprietary Eſtate here, without his Aſſent by his Repreſentative the Governor.

The Peers and our Proprietaries have their Negatives upon all Bills; but the Equity of taxing themſelves, as well as all others, for their common Safety and Defence, induces the Lords to give their Aſſent to Bills offered to them for that Purpoſe; and no doubt the ſame Equity ought to be equally binding on our Proprietaries: And it may be hoped, that all Reſtrictions, by which their Deputy is diſabled from diſcharging his Duty, will, in due Time, be conſidered by our Superiors. Our Proprietaries, I preſume, have no Right to vote for our Repreſentatives, though they are certainly Landholders in this Province: And under this Conſideration they are exempted from paying Aſſemblymens Wages by our County Rate and Levy Act. The Peers of *Great-Britain* are as certainly Landholders, and many of them Burgeſſes and Members of Corporations; yet they neither vote for the Knights of the Shire or Burgeſſes; and under the ſame Conſideration are exempted from contributing to their Expences. The Commons petitioned in Parliament, Firſt of RICHARD II. that all Perſons having Lay Fee might contribute to the Charge of the Knights.——The King anſwered, that the Lords of the Realm would not loſe their old Liberties: Yet in the ſame Reign, by the Twelfth of RICHARD II. Chap. 2. it is enacted, "That if any Lord, or any other Man, Spiritual or "Temporal, had purchaſed any Lands or Tenements, or other Poſſeſſions, that were "wont to be contributory to ſuch Expences before the Time of the ſaid Purchaſe, that "the ſaid Lands, Tenements and Poſſeſſions, and the Tenants of the ſame, be contributory to the ſaid Expences, as the ſaid Lands, Tenements and Poſſeſſions, were "wont to be before the Time of the ſame Purchaſe." This Law, which hath continued through ſo many Ages, appears to be founded in Juſtice and Equity, and will neceſſarily become the Rule of our Conduct; for as our Paper Money Acts are near expiring, and it may be hoped that no future Aſſembly will give up their juſt Rights for the Obtaining of new Emiſſions, whatever Inconveniences they may labour under for Want of them, the Payment of Aſſemblymens Wages muſt become very burdenſome, if they are to be kept ſitting, though to little or no Purpoſe (as of late) through a great Part of the Year; and eſpecially if our Proprietaries, againſt our Expectations, ſhould have as much Power as they have Inclination to get their encreaſing Eſtates exempted from bearing any Share of our Taxes; for in this Caſe we have Reaſon to apprehend they may judge it their private Intereſt to impoveriſh the People by exorbitant Impoſitions, or a Profuſion of the Public Money; and as under theſe Circumſtances Pretences will never be wanting, new and grievous Burdens will be repeatedly called for, till by Degrees the

See *Viner's* Abridgment, Tit. *Parl.* Let. G. Page 196. Id. Tit. *Peer.* Page 289.

the Freeholds and Poſſeſſions of this young Colony muſt inſenſibly fall into the Proprietaries Hands; and thus by the continual Proprietary Exemptions, and the Weight becoming ſtill heavier upon the decreaſing Number who may be able, for a While, to bear up, and continue among the Calamities of their Country; theſe too muſt at length ſubmit and leave the Colony their Predeceſſors had cultivated and ſettled with Honour under a milder Adminiſtration."

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Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment

An Account from the Truſtees of the *Province Iſland* was laid before the Houſe, and read, whereby it appeared that there was a Balance of *Ninety-ſeven Pounds One Shilling* in their Hands, due to the Province, which they are to pay into the Provincial Treaſury as the Law directs.

September 30.

The Committee of Accounts reported, that they had examined the Governor's Account, amounting to *Five Hundred* and *Ninety-one Pounds Five Shillings* and *One Penny*, and were of Opinion that the ſame ought to be allowed; but they ſubmitted to the Houſe, whether the Sum of *Twenty-ſix Pounds Eight Shillings* and *Nine-pence*, ſhould not be deducted out of the Balance of the ſaid Account, being paid by a Committee of Aſſembly for the Hire of a Waggon and a Half to carry the Preſent of the Government of the Lower Counties, ſent by the Governor to General *Braddock*. — And the Houſe agreeing that the ſaid Sum ought to be deducted,

An Order was drawn on the Treaſurer for the Payment of *Five Hundred* and *Sixty-four Pounds Sixteen Shillings* and *Four-pence* to the Governor, as the Balance of his Account, and ſigned by the Speaker, by Order of the Houſe.

Then the Houſe adjourned to Three o'Clock, *P. M.*

Adjournment *Poſt Meridiem*

The Committee of Accounts made the following Report in Writing on the *Ohio* Road Accounts, *viz.*

Report from the Committee of Accounts.

YOUR Committee have carefully examined the Accounts exhibited to the Houſe by the Commiſſioners appointed by the Governor for laying out the Road through the Weſtern Parts of this Province for the King's Service, and have hereunto affixed the ſeveral Sums and Perſons Names to whom they are due, as far as we have been able to compute the ſame, few Vouchers appearing, and ſome of the Accounts very irregularly and ambiguouſly drawn; ſundry Overcharges, and Blank Articles; ſo that there can be no juſt Eſtimation made unleſs the Perſons concerned gave their Attendance, otherwiſe we apprehend the Province may be impoſed on; ſo that we are of Opinion the Commiſſioners ſhould give their Attendance, or that ſome Perſons be appointed to ſettle the Accounts with them; nevertheleſs, we think the Money due to the Labourers ſhould be immediately paid. All which we ſubmit to the Houſe.

EVAN MORGAN, WILLIAM CALLENDER,
JOSEPH STRETCH, JOSEPH FOX."

The Houſe taking the ſaid Report into Conſideration,

Reſolved, That the Book containing the Labourers Accounts be lodged in the Hands of the Treaſurer, and that he pay off the reſpective Balances due to them upon Demand; and that the Remainder of the Accounts relating to the ſaid Road be referred to the Conſideration of the next ſucceeding Aſſembly.

Upon Motion made, it was

Ordered, That a Set of the old Votes of Aſſembly, lately printed in three Volumes, be ſent as a Preſent from this Houſe to Doctor *Fothergill*, in *London*.

The Report of the Committee of Public Accounts being again read, was agreed to by the Houſe, and is as follows, *viz.*

WE, *the* COMMITTEE *appointed by the Aſſembly of the Province of* Pennſylvania, *to audit and ſettle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts; to ſink and deſtroy the Bills of Credit, received in Exchange, purſuant to the ſeveral Paper-Money Acts; and to count all the Money, and report what Sum we ſhould actually find in the Truſtees Hands*, REPORT,

Report of the Committee appointed to ſettle the Accounts of the General Loan-Office.

THAT on the Firſt of the Ninth Month we counted the Money in the Hands of the Truſtees of the Loan-Office, and found the Sum of Five Thouſand Six Hundred and Thirteen Pounds Seven Shillings and Three-pence Halfpenny, —— —— £ 5,613 7 3½

THAT upon a careful Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Aſſembly for emitting Paper Bills, and now remaining in the Loan-Office undiſcharged,

We find there are principal Sums, or Quotas thereon to become due (after the 15th of the Seventh Month, July laſt) and payable to the Truſtees, the Sum of —— £ 46,282 5 10

That the Quotas Outſtanding, and at that Time due on all the Mortgage Deeds in the ſaid Office, amounted to —— 20,409 15 0

Carried forward £ 66,692 0 10

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			Brought over	£ 66,692	0 10
That it appears by a Liſt of 127 Mortgages, taken on the eighth Re-emiſſion of the ſecond £ 80,000 Act, that the Truſtees have lent out thereon, the Sum of		£ 9,256	0 0		
And by a Liſt of 17 Mortgages, taken on the ninth Re-emiſſion of the ſame Act, they have lent out thereon, the Sum of		1,198	15 0		
				£ 10,454	15 0
That the ſeveral Sums lent to the City of Philadelphia, are not yet repaid, viz.					
The Balance of the firſt Sum lent ſaid City,	£	156	0 0		
The Balance of the Sum lent ſaid City for building Alms-houſes,		187	10 0		
				£ 343	10 0
				£ 77,490	5 10
That the Amount of the principal Sums or Quotas now in their Hands, is Two Thouſand Five Hundred and Nine Pounds Fourteen Shillings and Two-pence,				2,509	14 2
			Which makes up the total Sum of		£ 80,000 0 0
THAT the Truſtees, on Account of Intereſt ariſing from all the Mortgages, lent out in Purſuance of the ſeveral Acts of Aſſembly, are charged with the Balance due to the Province at the Settlement laſt Year, Twelve Hundred and Fifty-five Pounds Three Shillings and Five-pence,	£	1,255	3 5		
And with the Intereſt outſtanding on all the Mortgage Deeds at laſt Settlement,		8,460	12 3		
				£ 9,715	15 8
To the Intereſt ariſing on all the Mortgages for the current Year,	£	2,805	1 5		
To broken Intereſt received ſince laſt Settlement,		1,336	8 9		
To Intereſt received at Diſcharge of ſeveral Mortgages,		33	7 3		
				£ 4,174	17 5
				£ 13,890	13 1
That the Truſtees have Credit for the Intereſt outſtanding and due to the Province on the 13th of Seventh Month, July laſt, which upon a careful Examination of the Indorſements upon all the Mortgages, appears to amount to Eight Thouſand Six Hundred and Twenty-five Pounds Five Shillings and Nine-pence,	£	8,625	5 9		
Alſo for ſundry Sums paid by them for Account of the Province, viz.					
Orders for Aſſemblymens Wages of laſt Year,	£	731	1 0		
And for John Hall's Service as an Aſſemblyman, Anno 1750,		7	5 0	738	6 0
By Caſh paid the Superintendants of the State-houſe for an old Account,	£	60	0 0		
By Ditto for the new Addition,		700	0 0	760	0 0
By Caſh paid Anthony Benezet, towards the Support and Paſſages of ſundry French Deſerters, at ſeveral Times,				30	0 0
By Ditto paid Samuel Kirke, and Edward Kelly, for Fire-wood, &c. at ſundry Times,				24	5 0
By Ditto paid Charles Brockden, on Account of drawing and recording Mortgage Deeds, &c.				71	5 0
By ditto paid Richard Hockley, the annual Allowance to the Proprietaries, by Law,				130	0 0
By Ditto for £ 150 Sterling, remitted to the Provincial Agents, by a Reſolve of the Houſe, of the Ninth of Firſt Month laſt, at 67½ Exchange,				251	5 0
By Ditto paid Joſeph Armſtrong and John Smith, towards purchaſing Proviſions for the King's Uſe,				450	9 8
By Ditto ſent to James Wright, for ſame Purpoſe,				940	0 0
By Caſh paid ſundry Indian Expences, viz.				£ 12,020	16 5
Paid Ezekiel Rankin, for Maintenance of the Indians at Aughwick,				31	0 0
Paid Edward Kelly's Daughter, to provide Victuals for ſundry Indians, on their firſt Arrival in Town, per Order,				1	0 0
Paid Henrique, a Mohawk Chief, by the Directions of the Speaker, and ſeveral Members of the Houſe, who had a Conference with this Indian and his Company, juſt on their Departure from this Province, 100 Dollars, at 7 *s.* 6 *d.*				37	10 0
Sent to the Governor, by Order of the Houſe, for Relief of a Number of Indians who had lately removed on a Weſtern Branch of Suſquehanna, and were repreſented by Conrad Weiſer to be in great Diſtreſs, and who had applied to this Province for Proviſions,				50	0 0
				£ 119	10 0
By Caſh paid the Overſeers of the Poor of the City of Philadelphia, towards the Subſiſtance of ſeveral Soldiers Wives, who were ſent down here by General Braddock, on his March from Wills's Creek towards the Ohio,				50	0 0
By one Year's Salary to the Truſtees, by Law,				500	0 0
By Allowance of 55 *s.* per Thouſand Pound, on 1,600 £. ſunk, of torn and ragged Bills of Credit,				4	8 0
				£ 12,694	14 5
Balance due to the Province, being the Amount of Intereſt now in the Hands of the Truſtees,				1,195	18 8
				£ 13,890	13 1

WE likewiſe report, that ſoon after the Deceaſe of the late Treaſurer Michael Lightfoot we proceeded upon the Examination of his Account, and found the State thereof as follows, viz.

The Province has Credit for the Balance due from him at the Settlement the 15th of the Eighth Month, Auguſt, 1754,	£	462	10	10¾
Alſo for Caſh paid him by Joſeph Redman, Collector of Exciſe for the City and County of Philadelphia,		305	19	10
Ditto of John Woolſton, Collector for Bucks,		30	0	0
Ditto of Daniel Craig, Collector for Northampton,		44	0	0
Ditto of James Lindſay, Collector for Cumberland,		30	19	6
Ditto of John Hughes, Collector for Berks,		189	6	5½
Ditto of David M'Connaughy, Collector for York,		12	0	3
Carried forward	£	1,065	16	11¾

1755. September 30.

Credit brought over	£ 1,065	16	11¼
Ditto of Jeremiah Starr, Collector for Chester,	249	19	0
By Cash for John Hall's Order on the Loan-Office,	7	5	0
By Ditto received the Balance due from the Trustees of the Province Island,	86	4	0
	£ 1409	4	11¼

That the Province is Charged by him with sundry Sums paid by him in Pursuance of the Votes or Orders of the House, viz.

To Cash paid Joseph Hamton, per Order,	£	1	4	0
To Ditto paid John Wooton, per Ditto,		7	10	0
To Ditto paid Samuel Kirke,		8	0	0
To Ditto paid Edward Kelly,		15	7	11½
To Ditto paid Benjamin Franklin, per Order		57	7	6
To Ditto paid William Franklin,		69	0	6
To Ditto paid Plunket Fleeson,		4	7	6
To Ditto paid William Franklin,		4	16	4
To Ditto paid Evan Morgan,		8	2	0
To Ditto paid Charles Stow,		2	0	0
To Ditto paid Richard Peters, Secretary, for the Indians,		300	0	0
To Ditto paid Edward Warner,		8	2	0
To Ditto paid Lawrence Growdon,		60	0	0
To Ditto paid Thomas Græme,		10	0	0
To Ditto paid Isaac Norris,		30	0	0
To Ditto paid George Croghan,		25	0	0
To Ditto paid Richard Peters,		62	0	9
To Ditto paid William Callender,		8	2	0
To Ditto paid Joseph Fox,		8	2	0
To Ditto paid Caleb Cowpland,		60	0	0
To Ditto paid Isaac Norris for Robert Charles,		83	10	0
To Ditto paid Ditto, for Richard Patridge,		167	0	0
To Ditto paid William Allen, Esq;		105	0	0
To Ditto paid Charles Norris, for his Brother Isaac, being Cash advanced by him to George Croghan, for maintaining Indians at Aughwick, &c.		88	3	5
To Ditto paid Charles Norris, for Lewis Evans, allowed towards his Map of the Provinces,		50	0	0
To Ditto paid Ditto, for Conrad Weiser,		73	4	0
	£	1,315	19	11½
To his Commissions on £ 1,342 2 9¾ at Five per Cent,		67	2	2
	£	1,383	2	1½
Balance due to the Province, the Third of First Month, January, 1755,		26	2	9¾
			£	1,409 4 11¾

—Which was directed by a Vote of the House, of the First of First Month, 1755, to be paid into the Hands of Anthony Benezet, for the Maintenance of French Deserters.

THAT we have examined the Accounts of Joseph Redman, Collector of Excise for the City and County of Philadelphia, and find,

That he Credits the Province, viz. By Balance due from him at last Settlement,	£	171	3	8
By Amount of Excise from the First of Sixth Month, June, 1754, to the First of Sixth Month, June, 1755,		2,035	4	0
By sundry Retailers, at Three Pounds per Annum,		171	15	0
By a Moiety of Fines this Year,		3	10	0
			£	2381 12 8
That he Charges the Province, viz. To Cash paid the late Treasurer, Michael Lightfoot,		305	19	10
To Ditto paid the present Treasurer, Samuel Preston Moore,		1,813	15	4
	£	2,119	15	2
To Commissions on these Sums, at Five per Cent,		105	19	9
	£	2,225	14	11
Balance outstanding, due to the Province, the Ninth of Ninth Month,		155	17	9
			£	2,381 12 8

That he hath not accounted for any Part of the Sum of £ 157 10 4, due from the former Collector, Judah Foulke, having received no Part thereof since the Settlement of last Account.

THAT we have examined the Accounts of John Woolston, Collector of the Excise for the County of Bucks, and find,

That he Credits the Province with Balance due at last Settlement, Anno 1753,	£	54	3	8
By Amount of Excise from the First of June, 1753, to the First of June, 1755, two Years,		469	12	8
By sundry Retailers, at Three Pounds per Annum,		30	0	0
			£	553 16 4
That he Charges the Province, to Cash paid the late Treasurer, Michael Lightfoot, per Receipt,	£	242	5	0
To Cash paid the present Treasurer, Samuel Preston Moore,		258	17	6
	£	501	2	6
To his Commissions, at Ten per Cent,		50	2	3
	£	551	4	9
Balance due to the Province, the Twenty-sixth of Eighth Month, August,		2	11	7
			£	553 16 4

THAT we have examined the Accounts of Jeremiah Starr, Collector of Excise for the County of Chester, and find,

That he Credits the Province with Balance of Account, settled with him, Anno 1753,	£	218	0	2
By Amount of Excise from the First of Sixth Month, June, 1753, to the First of Sixth Month, 1754,		387	5	4
By Amount of Ditto from the First of Sixth Month, June, 1754, to the First of Sixth Month, 1755,		438	16	8

Carried forward £ 1,044 2 2

1755. *September* 30.

		Credit brought over			£ 1,044 2 2
That he Charges the Province, to Caſh paid Michael Lightfoot, late Treaſurer,		£ 476 2 0			
To Ditto paid Samuel Preſton Moore,		387 0 0			
		£ 863 2 0			
To his Commiſſions thereon, at Ten per Cent,		86 3 0			
		£ 949 5 0			
Balance due to the Province, the Twenty-eighth of Eighth Month, Auguſt,		94 17 2			
				£	1,044 2 2

THAT we have examined the Accounts of James Lindſay, Collector of Exciſe for the County of Cumberland, and find,

That he is Indebted to the Province for Balance of Account ſettled to the Firſt of Sixth Month, June, 1753,	£	37	13	1	
To Amount of Exciſe from that Time to the Firſt of June, 1754,		54	7	6	
To Ditto from the Firſt of Sixth Month, June, 1754, to Firſt of Sixth Month, 1755,		46	2	6	
				£	138 3 1
That he is to be Credited for Caſh paid Michael Lightfoot, late Treaſurer,	£	32	19	6	
Ditto paid Samuel Preſton Moore, preſent Treaſurer,		37	11	6	
	£	70	11	0	
Commiſſions thereon, at Ten per Cent,		7	1	1	
	£	77	12	1	
Balance due to the Province, which he ſays remains uncollected,		60	11	0	
				£	138 3 1

This Collector appears very deficient.

That we have examined the Account of Daniel Craig, Collector of the Exciſe for the County of Northampton, and find,

That he Credits the Province with Amount of Exciſe from the Firſt of Sixth Month, 1753, to the Firſt of Sixth Month, June, 1754,	£	82	7	4	
Alſo with Amount of Exciſe from 1754, to the Firſt of Sixth Month, June, 1755,		91	10	0	
And the Balance due from him at Settlement of Account, 1753,		5	13	11	
				£	179 11 3
That he Charges the Province, to Caſh paid Michal Lightfoot,	£	74	1	0	
To Ditto paid the preſent Treaſurer,		80	7	0	
	£	154	8	0	
To Commiſſions thereon, at Ten per Cent,		15	8	9	
	£	169	16	9	
Balance now due to the Province the Second of Ninth Month,		9	14	6	
				£	179 11 3

THAT we have examined the Accounts of John Hughes, Collector of Exciſe for the County of Berks, and find,

The Balance due from him to the Province at laſt Settlement, the Twenty-ninth of Eighth Month, 1753, to be	£	88	12	0	
That he Credits the Province with Amount of Exciſe from the Firſt of Eighth Month, Auguſt, 1753, to the Firſt of Eighth Month, Auguſt, 1754,		332	7	8	
Sundry Retailers,		26	12	2	
A Moiety of a Fine recovered,		2	10	0	
	£	450	1	10	
And with the Amount of Exciſe from Auguſt, 1754, to 1755,		291	13	8	
Sundry Retailers,		19	10	4	
				£	761 5 10
That he Charges the Province for Caſh paid Michael Lightfoot, late Treaſurer,	£	278	5	11½	
Ditto paid Samuel Preſton Moore,		285	0	0	
	£	563	5	11½	
His Commiſſions at Ten per Cent,		56	6	6½	
	£	619	12	6	
Balance due to the Province,		141	13	4	
				£	761 5 10

THAT we have examined the Accounts of Samuel Preſton Moore, the Provincial Treaſurer, and find he Credits the Province, viz.

By Caſh received of John Hughes, Collector for Berks,	£	285	0	0	
By Ditto of Joſeph Redman, Collector for Philadelphia,		1,813	15	4	
By Ditto of John Woolſton, Collector for Bucks,		258	17	6	
By Ditto of Arthur Patterſon, Collector for Lancaſter,		130	11	0	
By Ditto of Jeremiah Starr, Collector for Cheſter,		387	0	0	
By Ditto of Daniel Craig, Collector for Northampton,		80	7	0	
By Ditto of David M'Connaughy, Collector for York,		35	18	0	
By Ditto of John Baſſonet, and Peter White, in Part of a Debt due from John Hall, former Collector for Bucks,		16	0	0	
By Ditto of James Lindſay, Collector for Cumberland,		37	11	6	
By the Executors of Michael Lightfoot, for the Order of the Committee of Accounts on them, for two Errors in the Account ſettled with them, being ſhort Credit in Caſh paid by Jeremiah Starr, the 3d of 12th Mo. 1754, £ 6 4 6					
And Omiſſion of Caſh paid by Daniel Craig, the 9th of 11th Mo. 1754, 11 0 0		17	4	6	
Carried forward	£	3,062	4	10	

1755. *September* 30.

	Credit brought over	£	3,062	4 10
That he Charges the Province for sundry Sums paid in Pursuance of the Votes or Orders of the House, viz.				
To Cash paid William Allen, Esq; which with One Hundred and Five Pounds paid by the former Treasurer, is in full of his Salary as Chief Justice,	£	95	0 0	
To Ditto paid Governor Morris, per Order of the House,		500	0 0	
To Ditto paid Ditto, for Maintenance of Indians,		150	0 0	
To Ditto paid George Croghan, for Indians,		69	19 0	
To Ditto paid Robert Callender and Michael Teaff, for Goods delivered to the Half-King, and other Indians,		56	0 0	
To Ditto paid Thomas Kenton, for Goods delivered George Croghan, for a Present for the Shawanese Indians,		42	0 0	
To Ditto paid William Anderson, for Indians at Carlisle,		7	0 0	
To Ditto paid John Davidson, Indian Interpreter, for Services,		3	0 6	
To Ditto paid John Harris, to bury the Half-King,		18	10 9	
To David Magaw, for Indian Expences, in Part of an Order of George Croghan's, allowed,		30	0 0	
To George Hutchinson, on Account of George Croghan, for Indian Expences,		55	0 0	
To John and William Madole, for Ditto,		132	0 0	
To Richard Peters, for Indian Expences,		104	1 6	
To Thomas Jervis, for going Express to Cumberland,		5	4 11	
To Paul Pierce, for Indian Expences, per Order of George Croghan on the Secretary, allowed by the House,		47	5 0	
To Cash paid John Ferguson, Passage of Indians to Amboy,		2	7 6	
To Daniel Light, for going Express to Wills's Creek,		15	0 0	
To Joseph Fox, to pay Road-Cutters,		54	0 0	
To James Wright, to pay Thomas Robinson for Horse-hire,		3	13 0	
To Ditto, to pay Ditto for like Service,		1	10 0	
To Conrad Weiser, in full of his several Accounts, for Indian Expences,		135	6 1	
To Ditto, for Balance allowed him the Seventeenth of December last for Ditto,		10	7 4	
To James M'Cord, per Order of Committee of Accounts,		1	5 0	
To William Callender, for Indian Expences,		63	9 9	
To Isaac Norris, Esq; to buy Bills for the Agents, £ 200 Sterling, at 68 per Cent,		336	0 0	
To Andrew Montour, in Consideration of his late Losses with the Indians at the Defeat of General Braddock,		50	0 0	
To Cash paid Conrad Weiser, to be paid John Harris, in full for Indian Expences,		13	4 6	
To Ditto, paid Ditto, for Scarroyady, and other Indians,		15	0 0	
To Cash paid Charles Norris, to be burnt by Law of 1746,		500	0 0	
To Ditto paid James Wright, for Purchase of Provisions for the King's Use,		133	0 0	
	£	2,649	4 4	
To his Commissions on the above Sum, at Five per Cent,		132	9 2	
	£	2,781	13 6	
Balance due to the Province, the Eighteenth of Ninth Month, 1755,		280	11 4	
			£	3,062 4 10

THAT we have examined the Accounts of David M'Connaughy, Collector of Excise for the County of York, the State whereof we find as follows, viz.

That he Credits the Province for the Balance of last Account, settled to the First of June, 1753,	£	38	6 2½	
By Excise from that Time to the First of June, 1754,		58	18 9	
By Ditto, from the First of June, 1754, to Ditto, 1755,		67	2 5	
			£	164 7 4½
That he Charges the Province for Cash paid Michael Lightfoot, late Treasurer,	£	34	3 9	
Ditto paid Samuel Preston Moore, present Treasurer,		35	18 0	
Also Twenty-one Pounds Fourteen Shillings, which was paid since the Settlement of the Treasurer's Account,		21	14 0	
	£	91	15 9	
To Commissions at Ten per Cent,		9	3 6¾	
	£	100	19 3¾	
Balance due to the Province, September 20, 1755,		63	8 0¾	
			£	164 7 4½

That Arthur Patterson, Collector of Excise for the County of Lancaster, hath not exhibited any Account to us, nor do we find any Account settled with him since the Year 1753; but that he hath paid the late Treasurer Michael Lightfoot, £ 50 0 0
And to the present Treasurer, Samuel Preston Moore, 130 11 0
Which makes the Sum paid by him since last Settlement, £ 180 11 0

That it appears by the Report of the Committee last Year there remained in the Hands of the Trustees, for Exchange of defaced and ragged Bills, the Sum of £ 3,302 6 8
Of which we have burnt the Sum of, 1,600 0 0

Which leaves in the Hands of the Trustees, for Exchange of old and ragged Bills of Credit, the Sum of £ 1,702 6 8

That in Pursuance of the Act passed in the Year 1746, for granting £ 5,000 to the King's Use, we have burnt the yearly Quota directed by Law, being Five Hundred Pounds £ 500 0 0

And we find on inspecting the Reports of former Committees, that there remains the Sum of One Thousand Pounds, to be burnt at the Expiration of said Act.

We submit these Accounts, with the others, to the Observation and Correction of the House.

Philadelphia, *the 20th of* Ninth Month, September, 1755.

WILLIAM CALLENDER, JOSEPH FOX,
EVAN MORGAN, JAMES PEMBERTON."
JOSEPH STRETCH,

Sundry

1755. *September* 30.

Sundry Accounts of Services done the Public were reported on by the Committee of Incidental Charges, and ſuch Allowances made as the Houſe judged reaſonable.

The Accounts from *George Croghan* are referred to the Conſideration of the next ſucceeding Aſſembly.

Ordered, That the Minutes of this and the two laſt Sittings of Aſſembly be printed with all poſſible Speed; and that a Copy thereof be delivered to the Governor when finiſhed.

Then the ſeveral Orders for the Payment of Members Wages, the Salaries of Officers, and other Incidental Charges, being ſigned by the Speaker, according to Order,

The Houſe roſe.

INCIDENTAL CHARGES.

Incidental Charges.

	£	s	d
To *Robert Hunter Morris*, Eſq; by Order of Aſſembly, *October* 18, 1754, — — —	500	0	0
To *William Allen*, Eſq; Chief Judge of the Supreme Court, —	200	0	0
To *Lawrence Growdon*, Eſq; ſecond Judge of Ditto, — —	60	0	0
To *Caleb Cowpland*, Eſq; third Judge of Ditto, — —	60	0	0
To *Richard Patridge*, Eſq; his Salary as Agent, £ 100 Sterling,	170	0	0
To *Robert Charles*, Eſq; his Salary as Agent, £ 100 Sterling, —	170	0	0
To the Speaker for immediate Services, — — —	35	0	0
To the Members of Aſſembly for their Attendance, — —	1,210	19	6
To *Robert Hunter Morris*, Eſq; Balance of his Account of Diſburſements for *Indian* and other public Expences, as per Account, —	564	16	4
To *Evan Morgan*, 27 Days on the Committee of Accounts, —	8	2	0
To *Joſeph Fox*, 27 Days on Ditto, — —	8	2	0
To *Joſeph Stretch*, 27 Days on Ditto, — —	8	2	0
To *James Pemberton*, 27 Days on Ditto, — — —	8	2	0
To *William Callender*, 27 Days on Ditto, — — —	8	2	0
To *Joſeph Hamton*, 1 Day on Ditto, — — —	0	6	0
To *Richard Peters*, Eſq; his Salary as Clerk to the Council, —	15	0	0
To Ditto, his Account for Warrants to affix the Great Seal, *&c.* —	12	12	6
To *Richard Hockley*, his Account for Affixing the Great Seal, —	6	3	0
To *Charles Brockden*, his Account as Maſter of the Rolls, —	4	16	5
To *Benjamin Franklin*, his Account for Printing Votes, *&c.* —	429	19	0
To *William Franklin*, Clerk to the Houſe, 119 Days, at 6*ſ. per Diem*,	35	14	0
To Ditto his Account for Poſtage of Public Letters to the Governor,	20	0	0
To Ditto, his Account for Ditto to the Speaker, — —	1	3	1
To Ditto, his Account for Tranſcribing, Ingroſſing, *&c.* — —	109	4	9
To Doctor *Græme*, for Medicines, and Attendance on the *Indians*, —	26	3	8
To *Charles Stow*, for ſummoning Fifty-two Councils, at *Two Shillings* and *Six-pence* each, — — — — —	5	12	6
To *Plunket Fleeſon*, his Account, for putting up Window Curtains, *&c.*	1	9	6
To *Samuel Kirke*, his Salary, as Serjeant at Arms, — —	8	0	0
To *Edward Kelly*, for his Attendance as Door-keeper to the Houſe, 119 Days, at *Four Shillings per* Day, — — —	23	16	0
To Ditto, for Diſburſements for the *Indians*, as *per* his Account, —	14	7	1
To Ditto, for Cleaning the Houſe, Bruſhes, *&c.* — —	2	11	0
To *Thomas Walker*, his Account for 3,517 Pound of Meat for the *Indians*, — — — — —	43	19	3
To *William Smith*, his Account for *Indians*, — —	2	13	3
To *Edmund Nihell*, his Account for Small-beer for the *Indians*, —	2	0	0
To *William Baker*, his Account for Bread, and baking Meat for the *Indians*, — — —	11	16	0
To *William Davis*, his Account for a Litter to carry the lame *Indian* upon, — — — —	0	8	6
To *George Honey*, his Account for *C. Weiſer's*, and *Indians* Expences,	10	4	5
To *John Elder*, his Account for three Hogs taken by the *Indians*,	3	0	0
To *Thomas Jervis*, his Account for *Indians*, £ 40 8 5			
To Ditto, his former Account allowed, but no Order drawn, 10 2 10	50	11	3
To *Conrad Weiſer's Indian* Charges, and Allowance for Trouble, —	59	3	7
To *John Harris*, his Account for *Indians*, and for his Trouble, —	77	7	8
To *Joſhua Pearſon*, and ſeven other Conſtables of *Philadelphia*, attending *Indians*, — — —	8	10	0
To *Hannah Boyd*, her Account, for *Montour* and *Indians*, —	10	5	1
To *William Buchannan*, his Account for Horſe-hire, for Expreſs	1	12	6
Carried forward £	4,009	15	10

	Brought over	£	4009	15	10	1755:
To *Adam Terrence*, for Attendance on *Indians*, and Horse-hire, 52 Days, at *Three Shillings per* Day, — —			7	16	0	*September* 30.
To *Michael Teaff*, for dieting *Indians*, &c, — —			25	10	0	
To *Indians* Expences on their Journey to *Philadelphia* at sundry Places on the Road, as by an Account exhibited by the Committee, *August* 22, 1755, — — —			29	6	11	
		£	4072	8	9	

GENERAL EXPENCES *of the Province of* Pennsylvania, *from the* 14*th of* October, 1754, *to the* 30*th of* September, 1755.

VOTED to *Robert Hunter Morris*, Esq; Governor, on his Arrival to this Government, *Five Hundred Pounds*, —		£	500	0	0	General Expences.
For Maintenance and Relief of *French* Deserters, —			46	2	9	
For Maintenance and Presents to *Indians* in our Alliance, — —	£ 1,562 19 9					
A Present to *Andrew Montour*, in Consideration of his Losses at the Defeat of General *Braddock*,	50 0 0		1,612	19	9	
The Governor's Account of Maintenance of *Indians*, Payment of Expresses, &c. — —			564	16	4	
For *Lewis Evans*, towards his Map of this and the adjacent Provinces,			50	0	0	
For Maintenance of Soldiers Wives sent to this City by General *Braddock*, on his March from Fort *Cumberland*, — —			45	7	11	
Remittance to the Agents at *London*, for their Salary, and for the Service of the Province, — —			591	5	0	
Hire of Expresses, — —			21	15	6	
For Provisions for the King's Troops, in Pursuance of the Orders from Sir *Thomas Robinson*, one of the Secretaries of State, — —	£ 5000 0 0					
Provisions for the King's Forces, requested by the Government of the *Massachusetts-Bay*, —	10000 0 0					
Provisions besides the above, for the King's Use,	700 0 0					
			15,700	0	0	
Charge of cutting a Road for the King's Service, at the Instance of General *Braddock*, from the Western Settlements of this Province towards the *Ohio*, about 68 Miles; besides several Accounts not yet brought in,			3,001	1	10	
For the King's Service, to be sent to the Inhabitants of *Cumberland* County, — — —			1000	0	0	
Assemblymens Wages, Salaries to the Judges of the Supreme Court, the Secretary, Clerk of the Assembly, and other public ordinary Expences, — — — —			2,353	10	6	
		£	25,486	19	7	

Account of Blankets, Jackets, Stockings, &c. for the Forces under General *Johnson*, not yet adjusted.

1755. A Bill, entituled, *An* ACT *for raiſing* Fifty Thouſand Pounds *for the King's Uſe, by a Tax of* Twelve-pence *per* Pound, *and* Twenty Shillings *per* Head, *yearly, for Two Years, on all the Eſtates Real and Perſonal, and Taxables, within this Province.*

No. 1. WHEREAS the King's Service at this Time requires extraordinary Supplies from this Province, and the Treaſury (by the ſeveral Sums of Money already given by this Aſſembly, for purchaſing Proviſions for the King's Forces, erecting and maintaining Poſts, clearing Roads, maintaining of *Indians*, and other heavy Charges for the King's Uſe) is exhauſted. And foraſmuch as the Honourable THOMAS PENN and RICHARD PENN, Eſquires, our Proprietaries, may, and we preſume will, conſider it their higheſt Duty and Intereſt to contribute chearfully their Part for the common Good of themſelves and all other the Inhabitants of this Province, under the preſent Preſſure of our Affairs: WE the Repreſentatives of the Freemen of the Province of *Pennſylvania*, being deſirous of demonſtrating our Duty to our Sovereign, and willing to give a further Teſtimony of our Loyalty, and the moſt ſincere Affection of his loving Subjects within this Province, Do pray that it may be enacted, AND BE IT ENACTED by the Honourable *ROBERT HUNTER MORRIS*, Eſquire, Lieutenant-Governor, under the Honourable THOMAS PENN and RICHARD PENN, Eſquires, true and abſolute Proprietaries of the Province of *Pennſylvania*, and Counties of *New-Caſtle*, *Kent*, and *Suſſex*, upon *Delaware*, by and with the Advice and Conſent of the Repreſentatives of the Freemen of the ſaid Province, in General Aſſembly met, and by the Authority of the ſame, That there ſhall be levied and raiſed upon all the Eſtates, Real and Perſonal, within this Province, of all and every Perſon and Perſons (the Eſtates of the Honourable THOMAS PENN, and RICHARD PENN, Eſquires, Proprietaries of the Province of *Pennſylvania*, not excepted) the Sum of *Twelve-pence* for every *Pound*, clear Value of the ſaid Eſtate, yearly, for the Space of Two Years, to be paid by the Owners or Poſſeſſors thereof. And that every ſingle Freeman, whether reſiding with his Parents, or elſewhere, who, at the Time of the Aſſeſsment, ſhall be of the Age of Twenty-one Years, and hath been out of his Apprenticeſhip or Servitude for the Space of Six Months, and is not worth in Goods or Chattels *Thirty Pounds*, ſhall pay the Sum of *Twenty Shillings*. All which ſaid ſeveral Sums, ſo to be raiſed as aforeſaid, ſhall be aſſeſſed and levied as in and by an Act paſſed in the Eleventh Year of the late King GEORGE the Firſt, entituled, *An Act for raiſing of County Rates and Levies*, is directed to be aſſeſſed and levied. And that every Article, Clauſe and Thing therein contained, concerning the Aſſeſſing and Levying Taxes, ſhall be uſed, exerciſed, and put in Practice, for aſſeſſing and levying the Tax hereby impoſed, as if the ſame Articles, Clauſes and Things were inſerted in this Act, except in ſuch Caſes as are herein aſcertained, provided for, or altered.

No. 2.

No. 3,

AND BE IT FURTHER ENACTED by the Authority aforeſaid, That the Commiſſioners of the reſpective Counties, or any two of them, ſhall, within Ten Days after the Publication of this Act, iſſue forth their Precepts, directed to the Conſtables of every Townſhip, requiring them to bring to the reſpective Aſſeſſors, within Three Weeks next after the Date of ſuch Precepts, fair and true Certificates in Writing, upon their Oaths or Affirmations, of the Names and Surnames of all and every the Perſons dwelling or reſiding within the Limits of thoſe Townſhips or Places, as in and by the herein before-mentioned Act for raiſing of County Rates and Levies, and as by this preſent Act is particularly ſet forth, and directed to be aſſeſſed.

BUT before the Commiſſioners and Aſſeſſors ſhall take upon them the reſpective Service and Duty by this Act required of them, they ſhall take an Oath or Affirmation to the Effect following, *that is to ſay*;

THOU ſhalt well and truly cauſe the Rates and Sums of Money, by Virtue of this Act impoſed, to be duly and equally aſſeſſed, and laid, according to the beſt of thy Skill and Knowledge, and herein thou ſhalt ſpare no Perſon for Favour or Affection, nor grieve any for Hatred or Ill-will.

Which Qualification ſhall be adminiſtered as in and by the ſaid Act for raiſing County Rates and Levies is enjoined and required.

AND BE IT FURTHER ENACTED by the Authority aforeſaid, That if the ſaid Commiſſioners or Aſſeſſors ſhall refuſe or neglect to perform and diſcharge the Duties required of them by this Act, each and every of the ſaid Commiſſioners or Aſſeſſors ſo refuſing, ſhall forfeit and pay to the Provincial Treaſurer the Sum of *Twenty Pounds*.

No. 4.

PROVIDED ALWAYS, That all Fines and Forfeitures ariſing by Virtue of this Act, ſhall be levied as in the aforeſaid Act for raiſing of County Rates and Levies is directed,

directed, and shall be paid and added to the public Provincial Stock. Provided also, that the Constables shall have and receive for their Care and Trouble in executing and returning the Precepts by the herein last-mentioned Act directed and enjoined, one *Half-penny per Pound*, and no more. And that the Assessors, for their Time and Labour in their Assessments, shall be allowed *One-penny Half-penny per Pound*, upon the whole Sum contained in the Rates of their respective Counties, after the Assessment is rectified and adjusted by the Commissioners, and no more. And that the County Treasurers shall be allowed for their Care and Trouble *One per Cent* for all Monies by them received and paid, and no more. And that the Collectors shall retain in their Hands for all Sums of Money by them respectively collected, *Three-pence per Pound*, and no more, any Thing in this Act, or in the aforesaid Act, "for raising of County Rates and Levies," to the contrary notwithstanding. 1755. No. 5.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That if the said Collector or Collectors shall refuse or neglect to take upon him or themselves the Trust and Duty required of him or them by this Act, he or they so refusing shall forfeit and pay to the County Treasurer the Sum of *Ten Pounds*; and the Assessors shall appoint some other fit Person or Persons in the Place or Stead of the Collector or Collectors so refusing or neglecting as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That all the Sum or Sums of Money levied by the Collectors of the respective Districts throughout this Province, by Virtue of this Act, shall be paid by the said Collectors to the County Treasurers, and by the County Treasurers, respectively, into the Hands of the Provincial Treasurer, for the King's Use. No. 6.

AND whereas some Owners of Land, whereon Improvements are made, may not reside in the same County or District where such Land lies, whereby it may be difficult to recover or collect the Tax assessed on the said Land, BE IT THEREFORE ENACTED by the Authority aforesaid, That the Tenant or other Person residing on, and having the Care of such Lands, their Goods and Chattels, and the Goods and Chattels of the Landlord (on his Refusal or Neglect to pay) if there found, shall be liable to be distrained for the Payment of the said Tax. And in case the Tenant, or Person having the Care thereof, shall pay, or their Goods be distrained for the same, then it shall and may be lawful to and for the said Tenant to deduct the Tax so paid out of the Rent agreed for; and for the Tenant or Tenants, or Person having Care of the said Land, to recover the same from the Owner, by Action of Debt, in any Court where the same shall be cognizable, together with Costs of Suit; PROVIDED, That nothing in this Act shall in any Manner alter any Contract heretofore made between any Landlord and Tenant. No. 7.

AND forasmuch as large Tracts of valuable Land have been located and held in this Province without Intention of Improvement, but merely in Expectation of receiving hereafter higher Prices for private Advantage, by Means whereof those Lands remain uncultivated, and great Numbers of People have been necessitated to leave this Province and settle in other Colonies, where Lands are more easily purchased, to the manifest Injury and Charge of the Public: And forasmuch as those Lands, by the Act for raising County Rates and Levies, herein before mentioned, are exempted, and cannot by the Laws now in being be taxed, it is thought reasonable on this Occasion to settle the Manner by which the said Lands shall be assessed and rated in their Proportion of the Tax hereby imposed, on all the Estates, Real and Personal, within this Province; BE IT THEREFORE ENACTED by the Authority aforesaid, That all such located and unimproved Lands shall be rated according to their Situation and Value at any Prices not exceeding *Fifteen Pounds*, nor under *Five Pounds* for every Hundred Acres of such unimproved Land. And if the Owner or Owners of the said Lands, or some Person or Persons for them, do not appear, or shall neglect or refuse to pay the Rates assessed thereon by the Space of Thirty Days, after the Days of Appeal, then, and so often as this shall happen, the said Lands, together with the Rates assessed thereon, shall be advertised in the Township or County in which such Lands do lie, or in the Place or Town where such Owner or Owners dwell. And the Commissioners of the respective Counties shall, and they are hereby required to give public Notice thereof in the *Pennsylvania Gazette*, for at least Three Months, that Sale will be made of such Part of the said Lands as shall be sufficient to discharge the Taxes due for the same, and all Charges accruing by Reason of the Refusal or Non-payment thereof. And if the Owner or Owners of such Lands, or some Person or Persons in their Behalf, do not appear and discharge and pay the said Taxes, with all Charges as aforesaid, then the said Commissioners of the respective Counties are authorized and hereby impowered to sell the said Land, or so much thereof as aforesaid, by public Vendue, to such Person or Persons as may appear and give most for the same; returning the Overplus, if any be, to the Owner or Owners of such Lands, or their legal Representative as aforesaid, after all necessary Charges deducted. And when any Sale of such Land shall be so as aforesaid made by the Sheriff or Coroner respectively, pursuant to this

Act,

1755. Act, the Title and Conveyance thereof ſhall be by Deed ſigned, ſealed and delivered, by the Sheriff or Coroner, to ſuch Perſon or Perſons as ſhall purchaſe the ſame in Fee-ſimple, which ſhall be moſt abſolute and available in Law againſt the ſaid Delinquents, and their Heirs and Aſſigns, and all claiming under them.

AND whereas many Perſons reſiding in this Province have ſeated themſelves on certain large Tracts of Land, neither having Property therein, or paying Rent for the ſame, yet nevertheleſs do actually hold and occupy certain Parts thereof, and therefrom do receive the like common Benefits that the Freeholders of this Province do generally receive from their Fee-ſimple Eſtates; and to exempt ſuch Perſons, ſeated as aforeſaid, from paying their juſt Proportion of the Taxes herein directed to be levied, for the Lands they ſeverally hold and occupy as aforeſaid, would be a manifeſt Injury to the ſaid Freeholders, and other Inhabitants of this Province, made rateable by this Act: For remedying whereof, BE IT ENACTED by the Authority aforeſaid, That all and every Perſon or Perſons, reſiding within this Province, ſeated on, occupying and holding Lands, not having the Property thereof, or paying Rent for the ſame, ſhall, notwithſtanding, give a true Account of the particular Parts of all ſuch Land which they are reſpectively ſeated on, both clear and Wood-land, as much as they pretend to hold, to the Aſſeſſors of this Province reſpectively when thereunto required, and ſhall pay their ſeveral and reſpective Taxes for the ſame in like Manner as the Freeholders aforeſaid are liable to do by Virtue of the Directions of this Act; and upon neglecting or refuſing to give ſuch Accounts, and pay ſuch Taxes as aforeſaid, ſhall be ſubject to the like Pains and Penalties as the ſaid Freeholders are ſubject to by Virtue of the Directions of this
No. 8. Act, or by the before-mentioned Act for raiſing County Rates and Levies.

AND BE IT FURTHER ENACTED by the Authority aforeſaid, That the Commiſſioners and Aſſeſſors of the County of *Philadelphia* at their Meeting, on the Return of the Commiſſioners Precepts, or at any other Time, ſhall, and they are hereby authorized and required, by all lawful Means, to acquaint themſelves with, and procure the Amount, as near as they are able, of the Proprietaries Eſtate in Quitrents, throughout this Province, and thereupon impartially to aſſeſs and tax the ſame, in the ſame Manner as other Eſtates are aſſeſſed and taxed in the reſpective Counties by Virtue of this Act.

AND BE IT FURTHER ENACTED by the Authority aforeſaid, That
No. 9. No. 10. *Iſaac Norris*, *James Hamilton*, and *Benjamin Franklin*, Eſquires, *Evan Morgan*, and *Jo-*
No. 11. No. 12 *ſeph Fox*, Gentlemen, with the Conſent and Approbation of the Governor of this Pro-
No. 13. vince, or with the Conſent and Approbation of the Commander in Chief of the King's Forces in *North-America*, for the Time being, ſhall order and appoint the Diſpoſition of the Monies, ariſing by Virtue of this Act, for the King's Uſe. And that the ſaid
No. 14. *Iſaac Norris*, *James Hamilton*, *Benjamin Franklin*, *Evan Morgan* and *Joſeph Fox*, or a Ma-
No. 15. jority of them, ſhall, and they are hereby impowered and required, as often as there ſhall be Occaſion of Money for the Purpoſe aforeſaid, to draw Orders upon the Provincial
No. 16. No. 17 Treaſurer for the ſame; which Orders, ſo drawn and paid by the ſaid Treaſurer, ſhall be produced to the Committees of Aſſembly for the Time being, and by them allowed in Diſcharge of ſo much of the Monies as ſhall be by the ſaid Provincial Treaſurer received by Virtue of this Act, ſo as the whole Sum of the Orders ſo drawn do not exceed the Sum of *Fifty Thouſand Pounds* current Money of this Province. All which ſaid Orders ſhall be payable out of the Taxes impoſed by this Act, with Intereſt, at the Rate of *Five per Cent per Annum*, from the reſpective Dates thereof, for and during the Continuance of this Act, and no longer. And the Monies ariſing out of the Taxes hereby impoſed, ſhall be, and are hereby declared to be and remain as a Security for the Payment of the ſaid Orders, ſo as aforeſaid to be drawn on the Provincial Treaſurer. And the
No. 18. ſaid Treaſurer is hereby impowered and required to apply the ſame accordingly.

AND BE IT FURTHER ENACTED by the Authority aforeſaid, That the Orders to be drawn and iſſued, as is herein before directed, ſhall be prepared, ſigned, and numbered, in ſuch Form and Manner as the ſaid *Iſaac Norris*, *James Hamilton*, *Ben-*
No. 19. *jamin Franklin*, *Evan Morgan* and *Joſeph Fox* ſhall judge moſt convenient for preventing Counterfeits and Forgeries. And if any Perſon or Perſons ſhall forge or counterfeit, alter or eraſe, any of the ſaid Orders, iſſued by Virtue of this Act, or ſhall offer in Payment by Way of Barter, or otherwiſe, to any Perſon whatſoever, or ſhall demand a Redemption of any ſuch Order at the Treaſury, knowing the ſame to be forged or counterfeited, altered or eraſed, every ſuch Perſon or Perſons ſo offending, being thereof legally convicted, ſhall incur and ſuffer the ſame Pains and Penalties as Forgers or Counterfeiters of the Bills of Credit of this Province.

AND BE IT FURTHER ENACTED by the Authority aforeſaid, That the Provincial Treaſurer ſhall, and he is hereby impowered and required, to order and direct the County Treaſurers reſpectively, ſo often as he ſhall think neceſſary, to lay before him the Books and Accounts of the Rates and Aſſeſsments, and to pay the Money that ſhall be in their or any of their Hands by Virtue of this Act. And if thereupon the

ſaid

ſaid County Treaſurers, or either of them, ſhall neglect or refuſe to produce his ſaid Books and Accounts, and to pay the Monies in his or their Hands, according to the Direction of this Act, the ſaid Provincial Treaſurer may, and ſhall, forthwith proceed againſt ſuch County Treaſurer, or Treaſurers, ſo neglecting or refuſing, in the ſame Manner as the County Commiſſioners are directed to proceed againſt delinquent Collectors in the before recited Act for raiſing County Rates and Levies, in order to recover the Monies due to the Provincial Treaſury from ſuch delinquent County Treaſurer. And the ſaid Provincial Treaſurer, for his Trouble in receiving and paying the Monies, and performing the Duties by this Act required, ſhall have and receive *Ten Shillings* for every *Hundred Pounds*, and no more. 1755. No. 201

The GOVERNOR's propoſed AMENDMENTS to the Bill, entituled, *An* ACT *for raiſing* Fifty Thouſand Pounds *for the King's Uſe, by a Tax of* Twelve-pence per Pound, *and* Twenty Shillings per *Head, yearly, for Two Years, on all the Eſtates Real and Perſonal, and Taxables, within this Province.*

No.

1. *DELE* from the Word [*from*] down to the Word [*Affairs.*]
2. *Dele* the Word [*not*] and inſert the Word [*only*]
3. After the Word [*Shillings*] inſert [*except ſuch as now are, or hereafter ſhall be, engaged in His Majeſty's Service.*]
4. After the Word [*this*] add [*or the before-mentioned*]
5. *Dele* the Words [*the herein laſt-mentioned*] and inſtead thereof inſert the Word [*this*]
6. After the Word [*Uſe*] add [*BUT BE IT FURTHER ENACTED by the Authority aforeſaid, That before the ſaid Provincial Treaſurer, or the ſaid reſpective County Treaſurers, for the Time being, ſhall receive any of the Monies to be raiſed by Virtue of this Act, they ſhall ſeverally become bound with one or more ſufficient Sureties, as follows,* that is to ſay, *The ſaid Provincial Treaſurer, for the Time being, in an Obligation of* Pounds, *to the Governor, or Commander in Chief of this Province, for the Time being, and the ſeveral County Treaſurers within this Province, each, in an Obligation of unto the Commiſſioners of the proper County, conditioned for the true and faithful Performance and Diſcharge of their Duty reſpectively, in the Execution and Obſervance of this Act.*]
7. *Dele* the Word [*and*] and inſtead thereof inſert the Word [*or*]
8. *Dele* from the Word [*Levies*] all the next following Clauſe.
9. *Dele* the Word [*and*] next before the Word [*Franklin*]
10. After the Word [*Franklin*] add [*and John Mifflin,*]
11. After the Word [*Gentlemen*] add the Words [*the major Part of them, or of the Survivors of them,*]
12. After the Word [*Governor*] add the Words [*or Commander in Chief*]
13. *Dele* from the Word [*Province*] to the Word [*for*]
14. After the Word [*Franklin*] add [*John Mifflin*]
15. After the Word [*them*] add the Words [*or of the Survivor of them,*]
16. After the Word [*ſame*] add the Words [*whereon there ſhall be an Endorſement, ſigned by the Governor, or Commander in Chief of this Province, for the Time being, ſignifying his Approbation thereof,*]
17. After the Word [*and*] in the ſame Line, add the Words [*endorſed being*]
18. After the Word [*ſame*] add [*to the Payment of the ſaid Orders*]
19. After the Word [*Franklin*] add [*John Mifflin*]
20. Add the following Clauſe *AND BE IT FURTHER ENACTED by the Authority aforeſaid, That if any Surplus of the Monies, to be levied and raiſed by Virtue of this Act, ſhall remain, after all the ſaid Orders ſo to be drawn as aforeſaid on the ſaid Provincial Treaſurer, with the Intereſt thereon, ſhall be fully paid, and all incident Charges, and juſt Allowances and Deductions made, that then ſuch Surplus ſhall remain in the Hands of the Provincial Treaſurer, for the Time being, to be applied to the King's Uſe, in ſuch Manner as by Act of General Aſſembly of this Province ſhall be hereafter ordered and directed.*]

APPENDIX to the VOTES *of* the ASSEMBLY, *from* October, 1754, *to* October, 1755.

1755. BY the Governor's Meſſage to the Aſſembly on the 24th of *September*, 1755, it would be natural to ſuppoſe, that the Commiſſioners appointed by the Governor for opening the Roads towards the *Ohio*, had never eſtimated the Charge of cutting and opening thoſe Roads at *Eight Hundred Pounds*, or at leaſt, if they had ever made ſuch an Eſtimate, that the Governor had never *ſeen* nor *heard of it*; for in that Meſſage he was pleaſed to tell the Houſe, " You charge me with contriving all poſſible Methods of Expence to " exhauſt your Funds and diſtreſs your Affairs, and give an Inſtance of an exorbitant " Demand of *Five Thouſand Pounds*, for cutting the Road for the Uſe of the Army, an " Undertaking, you ſay, I engaged you in, on a Computation of its coſting only *Eight* " *Hundred Pounds*;—a pretended Eſtimate, of which I am totally ignorant, having " never *ſeen* nor *heard of One*. The Sum of *Eight Hundred Pounds* might have been " mentioned, as what it would coſt in ſome Mens private Opinion, but *not* upon an " *Eſtimate of the Commiſſioners*, nor as ſuch ſent to me." The Houſe were much ſurprized at this Paragraph of the Governor's Meſſage, as it related to a Fact very freſh in their Memories; but, having returned the Papers the Governor had laid before the Houſe, by a verbal Meſſage of the 25th of *September*, they deſired, " the Governor would be " pleaſed to let them have a Sight of thoſe Letters and Papers, relating to the *Ohio* Road, " which were laid before the Houſe on the 13th of *May*, and ſince returned the Go- " vernor." On the 26th the Members appointed " brought down ſundry Papers relate- " ing to the *Ohio* Road, which the Secretary told them were thoſe laid before the Houſe " on the 13th of *May* laſt."

Votes Page 460.

Page 462.

Idem ibid.

Theſe Papers were endorſed from Number One to near Twenty, but ſome of the intermediate Numbers were wanting, particularly the very Letters we were enquiring after, which obliged the Houſe to anſwer with the Caution they uſed in their Meſſage to the Governor, dated the 29th of *September* laſt.

Page 463.

The original Papers were not then to be had, being either in the Governor's or the Secretary's Cuſtody; but it appearing ſome Time after, that the Clerk had taken authentic Copies of them, and that the Committee appointed by a Reſolve of the Aſſembly on the 3d of *January*, had kept fair Minutes of their Tranſactions, in Purſuance of that Reſolve, the ſame were examined, and the following are true Extracts therefrom, *viz.*

At a Meeting of the Committee, and ſuch Members of Aſſembly as were in Town, called to their Aſſiſtance, April 24, 1755.

Extracts from the Minutes of the Committee.

' The Secretary laid before us a Letter from *George Croghan*, and others, Commiſ- ' ſioners for laying out Roads through this Province towards the *Ohio*, which was read, ' as alſo a Letter from the Governor to this Committee, in the following Words, *viz.*

' BY a Letter I received this Morning from the Commiſſioners for running out the ' Roads over the Hills, I find the Flour, ordered to be provided for the Army, has ' not been yet delivered at the Place agreed on, and the Retardation of the March, with ' the Conſequences that may thence enſue, is aſcribed by Sir *John St. Clair* to this De- ' lay, and the not clearing proper Roads. I am indeed much ſurprized at the Flour's ' not having been delivered according to the Time fixed, and urge you to do all in your ' Power to expedite the Delivery of it. I think Orders ſhould iſſue immediately by the ' Return of the Expreſs, to have the Roads cleared with all poſſible Expedition, at the ' Expence of the Province, and deſire Supplies may be forthwith ſent for that Purpoſe.

' The *Suſquehanna Indians* expect a Preſent, *&c.*

' Gentlemen, *Your moſt humble Servant,*

' To *Iſaac Norris*, Eſq; Speaker,
Evan Morgan, *Joſeph Fox*, and
James Pemberton, Eſquires.

ROBERT HUNTER MORRIS."

The above Letter from " the Commiſſioners for running out the Roads over the Hills," ſo far as immediately relates to the ſaid Roads, follows in theſe Words, *viz.*

' HONOURED SIR, *Fort Cumberland, April* 16, 1755.

' IN Purſuance of your Commiſſion, we ſet out on the Road from *Carliſle* on the 29th ' of *March*, and with the greateſt Induſtry reached the Waters of the *Yohiogain* on ' the 11th Inſtant. We ſtopped at about Eighteen Miles on this Side the *Three Forks*, ' and would have proceeded further, had we not certain Intelligence of great Numbers ' of *French* and *Indians*, hunting and ſcouting, *&c.* Our *Indians* all fled us, ſome at *Ray's* ' Town, and ſome on the *Allegheny* Hills, ſave one *Delaware*. We were very fortunate

' in

1755.

'in finding a good Road all the Way, and particularly through the *Allegheny* Hills, con-
'ſidering how mountainous that Country is; from *Parnal's Knab*, or *M'Dowell's Mill*,
'to where we ſtopped, is about Sixty-nine Miles, and were it not for the Interpoſition
'of Mountains, would not be ſo far by Ten or Fifteen Miles. The Expence of making
'the Road *Thirty* Feet wide, and the principal Pinches *Twenty*, WILL MAKE AN EX-
'PENCE OF ABOUT EIGHT HUNDRED POUNDS, *&c.*

'*We are, honoured Sir, your moſt humble Servants,*

GEORGE CROGHAN, WILLIAM BUCHANAN,
JAMES BURD, ADAM HOOPS."
JOHN ARMSTRONG,

The Committee, after due Conſideration of the Matters laid before them, returned the following Anſwer to the Governor; and the other Members of Aſſembly preſent, agreeing with the ſaid Anſwer, at the Requeſt of the Committee, ſigned it jointly with them, *viz.*

AS the executive Part of the Government neither is, nor ought to be, veſted in the Aſſemblies of this Province, we can only declare our Concern the Governor had not been pleaſed to paſs our Bill, in which the Clearing of the Roads, and all the Purpoſes recommended to us by the Crown, had been provided for, according to our Abilities. Nevertheleſs, as we are willing to do every Thing in our Power for the King's Service and the Welfare of this Province, we have

Reſolved, That the following Minute be ſigned by all the Members preſent, and ſent to the Governor, *viz.*

We are unanimouſly of Opinion, that the Aſſembly will very chearfully defray the reaſonable Expences ariſing upon the Opening ſuch Roads as may be judged neceſſary for the March of the King's Troops through this Province towards the *Ohio*. We are alſo of Opinion, that ſome ſmall Preſent ſhould be made to the *Indians*, at the Expence of the Province, *&c.*

ISAAC NORRIS, JOSEPH TROTTER,
To Robert Hunter Morris, *Eſq*; EVAN MORGAN, JAMES PEMBERTON,
Lieutenant-Governor of Penn- JOSEPH FOX, WILLIAM CALLENDER."
ſylvania. April 24, 1755. JOSEPH STRETCH,

In Purſuance of this Reſolve, the Committee immediately furniſhed the Sum of *Two Hundred Pounds*, for the Purpoſe of Cutting the ſaid Roads, and the Secretary wrote the following Letter to the Commiſſioners for Opening the Roads.

'GENTLEMEN, *Philadelphia, 25th April*, 1755.

'THE Governor received your Letter Yeſterday, at the Time Governor *Shirley* was 'ſetting out, and laid it before ſuch of the Aſſembly as live in Town; and being 'obliged to accompany Governor *Shirley*, he commanded me to receive the Reſult of 'their Conſultation, and ſend it to you, and, if favourable, to preſs you to proceed to 'clear the Roads a ſufficient Breadth, which ſhould be by you thought neceſſary to be 'opened, and to make Cauſeways, and lay Bridges, and to ſet about it with the utmoſt 'Expedition. Encloſed is a Copy of their Letter to the Governor. Let nothing, I be-'ſeech you, be omitted in your Power; get a Number of Hands immediately, and fur-'ther the Work by all poſſible Methods.

'I am ordered to tell you, that all your Expences will be paid at the next Sitting of 'Aſſembly, which begins the 12th of *May*; be not therefore any Ways concerned about 'this; do your Duty, and oblige the General and Quarter-maſter if poſſible; if you can-'not pleaſe, after you have properly done your Part, you may then reſt perfectly ſatis-'fied. Surely the Flour will be delivered in Time *, or great Blame may be laid, with 'Truth, at the Door of the Commiſſioners.

'What Sir *John St. Clair* ſays, is ſo far true, that had the Army been ready now, and 'retarded by Delays in Matters undertaken by this Province, all the Miſchiefs thence 'ariſing would have been juſtly chargeable on this Province; but I am miſtaken if they 'can *within a Month from this Date* get their Artillery ſo far as your Road †, which, 'I ſuppoſe, is to croſs the Road made by *Waſhington*, over the *Allegheny* Hills to the *Big 'Meadows*;—or is it expected that a Road be opened and cleared, between *Conegocheague* 'and the Camp at *Wills's Creek?* I thought this had been done by Governor *Sharpe*.

'Be it as it will, begin with the Road that will be wanted at firſt, and finiſh it, if

'poſſible,

* The Flour was all delivered in Time, and long before it was wanted; it was indeed ſent in ſo faſt, that the General had not provided Stores and Shelters ſufficient to ſecure it from the Weather, to which great Quantities lay expoſed in *Maryland*, after the Delivery there.

† By this Part of the Secretary's Letter [perſonating the Governor] and the whole Proceedings of the Committee and Aſſembly, who ſupplied the Money for Opening the Roads as ſoon as applied for, it is apparent, that the Governor's Charge againſt the Aſſembly, in his Meſſage of the 24th of *September*, "that had they in Time opened the proper Roads, *&c.* the "General might have been in peaceable Poſſeſſion of Fort *Duqueſne*," was without the leaſt Foundation. *See Votes, p.* 461.

1755. ‘ poſſible, before it will be wanted to be uſed, and then proceed to any other that ſhall ‘ be thought neceſſary. If the Country does not furniſh Draught-Horſes for the Ar- ‘ tillery, the General will be under the Neceſſity of preſſing Men and Horſes.

‘ I deſire you will conſider this Letter as if the Governor himſelf had wrote it, and if ‘ I have omitted any neceſſary Directions, do not delay on that Account, but do the Duty ‘ and Service required, as if your Directions had been full and clear, and under the Go- ‘ vernor's Hand and Seal; for whatever is not done that ought to be done, will be laid ‘ at your Door, ſince I engage, on the Part of the Governor and Aſſembly, that you ‘ ſhall be paid all your Expences in clearing the Roads, and making neceſſary Cauſeways ‘ and Bridges.

I am, Gentlemen, your moſt humble Servant,

RICHARD PETERS."

It appears that the Commiſſioners conſidered this Letter (as the Secretary had deſired) as coming from the Governor himſelf, and according wrote him the following Anſwer.

‘ SIR, *Carliſle, 29th April, 1755.*

§ This Commiſſion was dated the 12th of *March*, 1755.

‘ IN Obedience to your Honour's Commiſſion § to us, we have viewed and laid out ‘ the Roads leading from hence to the *Yohiogain*, and the Camp at *Wills's Creek*, and ‘ encloſed you have the Draughts thereof, and the Account of Diſburſements in execute- ‘ ing the Commiſſion. We have carefully avoided all unneceſſary Expence, and ſhall be ‘ pleaſed our Conduct meets with your Honour's Approbation. We received Mr. *Pe- ‘ ters's* Favour, of the 25th Current, at Night, ſignifying your Honour's Pleaſure that ‘ we proceed immediately to open the ſaid Roads, which we ſhall chearfully comply ‘ with; to that End we have diſperſed our Advertiſements through the Counties of *Lan- ‘ caſter*, *York* and *Cumberland*, to encourage Labourers to come to work, and we intend ‘ to ſet off to begin to clear upon *Monday* firſt.

‘ We have applied to Mr. *James Wright* (who happened to be here at the Time we ‘ received Mr. *Peters's*) and *John Smith* [*both Members of Aſſembly*] for the neceſſary Pro- ‘ viſions for the Workmen, and Waggons, who have agreed to ſupply us with whatever ‘ we ſhall want. We are,

Your Honour's moſt humble and moſt obedient Servants,

JAMES BURD, *for ſelf, and* George Croghan *and* Adam Hoops, *by their Order,*
JOHN ARMSTRONG, WILLIAM BUCHANAN."

All this While, and during the whole Intercourſe of the above Letters, there was no other Eſtimate whatever of the Expence of clearing the Roads but the *Eight Hundred Pounds*, mentioned in the Commiſſioners Letter of the 16th of *April*, till *John Armſtrong*, one of the ſaid Commiſſioners, in a Letter to the Secretary, dated *Carliſle, May* 3, 1755, after acknowledging the Receipt of the "*Two Hundred Pounds*, ſent by the Committee " of the Aſſembly, towards the Expence of the new Road," ſays, "Both Roads will " leave little of *Fifteen Hundred Pounds*, for it is impoſſible to tell what Expence unex- " pected Occurrences will ariſe to."

This being the true State of the Caſe, it appears clear, that the Eſtimate made by the Commiſſioners, and ſent down to the Governor, and by him firſt recommended to the Committee, and afterwards, on the 13th of *May*, laid before the Aſſembly, was in Fact *an Expence of about Eight Hundred Pounds*, which the Governor, from all Appearances, muſt have *ſeen*, or at leaſt *heard of*, however it had eſcaped his Memory at the Writing of his Meſſage of the 24th of *September*, herein before mentioned.

At

1755.
October 14.

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1755, *P. M.*

BY the Returns of the Sheriffs of Five Counties, it appears that the following Gentlemen were chosen to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.*

For *Philadelphia* County.
Isaac Norris,
Joseph Trotter,
James Pemberton,
Joseph Stretch,
Joseph Fox,
Joshua Morris,
Richard Pearne,
John Hughes.

For *Philadelphia* City.
Benjamin Franklin,
William Callender.

For *Bucks* County.
Mahlon Kirkbride,
Joseph Hamton,

For *Bucks* County.
Jonathan Ingham,
Griffith Owen,
Samuel Brown,
Derrick Hogeland,
William Smith,
William Hoge.

For *Chester* County.
Thomas Cummings,
George Ashbridge,
Nathaniel Pennock,
Joseph James,
Joseph Gibbons,
Nathaniel Grubb,
William Peters,
Peter Dicks.

For *Lancaster* County.
No Return made, but
James Wright, and
James Webb, appeared.

For *York* County.
John Wright,
David M'Connaughy.

For *Cumberland* County.
No Return made, nor Representatives appeared.

For *Berks* County.
Francis Parvin.

For *Northampton* County.
No Return made, but
William Edmonds appeared.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That *Joseph Trotter*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Thomas Cummings*, *John Wright* and *Francis Parvin* wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Return of the Sheriff of the County of *Lancaster* was brought to the House, by which it appeared that *Calvin Cooper*, *James Wright*, *Peter Worral* and *James Webb* were chosen Representatives to serve in Assembly for the said County. *October* 15.

A Return of the Sheriff of the County of *Northampton* was brought to the House, whereby it appeared that *William Edmonds* was chosen Representative to serve in Assembly for the said County.——But a Defect being observed in the said Return (for that it was signed by Five Electors only, when the Law requires Six) the Clerk was ordered to write to the said Sheriff, and direct him forthwith to make a proper and legal Return to the House of the Representative chosen for the said County.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had been at the Governor's House, and were there informed, that he was out of Town; upon which they went to the Secretary's, but he not being at Home, they left Word that they desired he would, when the Governor returned, acquaint the House therewith.

The Qualifications by Law appointed to be taken by Members of Assembly, were taken and subscribed, first by the Speaker in the Chair, and then at the Table by all the rest of the Members present, in their Order.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House being informed, that the Governor is returned to Town; *Post Meridiem*

Ordered, That the Committee appointed to wait upon the Governor with the Message of Yesternight, do now wait upon him, and deliver the same.

The Gentlemen return, and report, that they had waited upon the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he would be ready to receive the House To-morrow Morning, at Eleven o'Clock, in the Council-Chamber.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Message from the Governor, by the Secretary: *October* 16.

SIR,

The Governor is now in the Council-Chamber, ready to receive the House, with their Speaker.

1755. October 16. Then the Speaker, with the whole Houſe, waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor, and preſented their Speaker, and that the Governor was pleaſed to approve their Choice. That the Speaker had then in the Name and Behalf of the Houſe claimed the uſual Privileges, *viz.*

That the better to diſcharge the Buſineſs of the Public, they may at all ſeaſonable Times have free Acceſs to the Governor.

That their Perſons may be protected from all Arreſts and Inſults, during the Time of Privilege accuſtomed.

That it would pleaſe the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the Houſe, until the ſame ſhall have paſſed into a Reſolve, nor give the leaſt Credit to ſuch Report. And laſtly,

That his own (the Speaker's) unwilling Miſtakes may be excuſed, and not imputed to the Houſe.

All which he had requeſted as the juſt Rights and Privileges of the Freemen of *Pennſylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleaſed to ſay, "That the Houſe were entitled to them by "Law, but as it was uſual to claim them, as ſuch he therefore granted them."

William Hoge and *William Edmonds* took and ſubſcribed the Qualification by Law appointed to be taken by Members of Aſſembly, and then took their Seats in the Houſe accordingly.

Reſolved, That *William Franklin* be Clerk to this Houſe for the enſuing Year.

And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Serjeant at Arms to this Houſe for the Year enſuing.

Reſolved, That *Edward Kelly* be Door-keeper to this Houſe for the enſuing Year.

Ordered, That *Benjamin Franklin* and *William Callender* be, with the Speaker, a Committee of Correſpondence.

Ordered, That *Joſeph Trotter*, *Joſeph Fox*, *Benjamin Franklin*, *George Aſhbridge* and *Peter Worral* be a Committee of Grievances for the Year enſuing; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That *James Pemberton*, *Joſeph Stretch*, *Joſeph Fox*, *John Hughes*, *William Callender*, *Joſeph Hamton* and *Thomas Cummings* be a Committee to audit and ſettle the Accounts of the General Loan-Office, and other public Accounts; and to ſink and deſtroy the Bills of Credit received in Exchange, purſuant to the late Paper-money Acts; and to count all the Monies, and report, together with the ſaid Accounts, the Sum they ſhall actually find in the Truſtees Hands; and they have Power to ſend for Perſons, Papers and Records.

Ordered, That *Joſeph Fox* and *Benjamin Franklin* be a Committee to reviſe the Minutes before they are printed.

Reſolved, That *Samuel Preſton Moore*, Eſq; be Treaſurer of this Province for the enſuing Year.

Reſolved, That *Richard Patridge* and *Robert Charles*, Eſquires, be Joint-Agents for this Province, at the Court of *Great-Britain*, for the Year enſuing.

Ordered, That a Copy of the foregoing Reſolve, appointing the ſaid *Richard Patridge* and *Robert Charles* Agents to this Province, be ſent to them duly certified under the Great Seal.

A Letter from one of the Agents, to the Committee of Correſpondence, was laid before the Houſe and read.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. A Letter from *George Croghan*, to the Speaker, relating to his Accounts, was laid before the Houſe and read, and referred to the Committee of Accounts.

Ordered, That *Joſeph Trotter*, *Joſeph Fox*, *Richard Pearne*, *Benjamin Franklin* and *William Callender* be a Committee to inſpect the Laws of this Province, and report which of them are expired, or near expiring, and ought to be re-enacted; with their Opinion what Amendments to them or others may be neceſſary.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 17. *Ordered*, That the Committee of Accounts do take under their Conſideration the Accounts relating to the *Ohio* Road, and report thereon to the Houſe.

An Account from *Adam Terrence*, for Caſh laid out by him for the Maintenance of the *Owendaets*, on their Journey from *Philadelphia* to *Suſquehanna*, was laid before the Houſe and read, and referred to the Committee of Accounts.

An Account from *Caleb Evans*, for One Hundred and Sixteen Shoes for the *Indians* Horſes, lately in Town, was laid before the Houſe and read, and referred to the Committee of Accounts.

Reſolved, That this Houſe will, till the next Sitting of Aſſembly, continue to allow ſuch reaſonable Charges as the Overſeers of the Poor of the City of *Philadelphia* may be

put

put to in maintaining such of the Women, now in Town, belonging to the Army lately under the Command of General *Braddock*, who are incapable of getting their own Livelihood; and that if any of the said Women shall incline to return Home to *Europe* this House will pay their Passages. 1755. *October* 17.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

An Account from *James Wright* for Flour purchased for the Use of the Forces, under General *Braddock*, and for the Present from this Government to the *English* Officers, was laid before the House and read, and referred to the Committee of Accounts. *Post Meridiem*

The Committee of Accounts reported on *Adam Terrence's* Account, that they were of Opinion the same ought to be allowed by this House.

They likewise reported, that they were of Opinion the Sum of *Four Pounds Sixteen Shillings* and *Six-pence* ought to be allowed by this House, in full of *Caleb Evans's* Account for Horse Shoes.——To which Reports the House agreed.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee of Accounts reported as follows, *viz.* *October* 18.

WE your Committee have examined the Accounts relating to cutting the Road towards the *Ohio*, for the King's Service, and compared and adjusted the several Articles with Vouchers produced to us. There being sundry Charges made by the Commissioners for their own Service, Allowance for Loss of Horses, Tools, *&c.* we think they may be more properly considered by the House, and have therefore left them undetermined. Report from the Committee of Accounts.

JAMES PEMBERTON, JOSEPH FOX,
JOSEPH STRETCH, WILLIAM CALLENDER."

Orders were drawn on the Provincial Treasurer for the Payment of *Adam Terrence's* and *Caleb Evans's* Accounts, and signed by the Speaker, by Order of the House.

Resolved, That this House will this Day adjourn to the First of *December* next.

The Speaker informed the House, "That after some Conversation with the Secretary this Morning on private Affairs, the Secretary occasionally mentioned two Letters, lately received, relating to the *Indians* on our Frontiers, and put them into the Speaker's Hands to read, which he accordingly did: That upon the Speaker's asking whether those Letters were not to be laid before the House, the Secretary said, the Governor had given him no Orders or Authority for that Purpose; and he thereupon took them back again: That the Speaker thought the said Letters contained Matters of great Importance to the Welfare of this Province, but as he could not presume to charge his Memory with the Particulars, so as to lay them before the House for the Foundation of their Conduct, he recommended the Affair to the House for their Consideration." ——— And it was thereupon

Ordered, That *Joseph Fox* and *William Callender* wait upon the Governor, and acquaint him, that the House having gone through the usual Business done at the First Sitting of Assembly, are inclined to adjourn, unless the Governor has any Thing to lay before them, particularly in regard to *Indian* Affairs, that may require their longer Stay. ——And the said Gentlemen are likewise directed, in case the Governor should say he had not any Thing to communicate to the House, to inform him of the proposed Time of Adjournment, and desire to know if he hath any Objection thereto.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return, and report, that they had delivered the same according to Order; and that the Governor was pleased to say, that if he had had any Business to lay before the House, he should have done it before now: And that, when the Members acquainted the Governor with the proposed Time of Adjournment, he was pleased to say, It was very well.

Upon Motion made, it was

Resolved, That this House will, until the next Sitting, continue the Supplies voted by the last Assembly for the Maintenance of the *Indians* about *Shamokin*, and other Parts of our Frontiers.

The Committee of Accounts reported, that they had examined *George Croghan's* Accounts, and were of Opinion, that there is a Balance of *Fifty-nine Pounds* and *Six-pence* due to him from the Province.——To which Report the House agreed; and an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

The House taking into Consideration the Report of the Committee of Accounts, on the *Ohio* Road Accounts, filled up the several blank Articles left by the said Committee, for the Commissioners Services, Loss of Horses, Tools, *&c.* and ordered the Clerk of this House to sign the said Accounts, and lodge them in the Hands of the Treasurer, that they may be paid off respectively as demanded.

Then the House adjourned to the First Day of *December* next. Adjournment

THE

1755. *November* 3. THE Repreſentatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe met accordingly.

Ordered, That *William Callender* and *Joſeph Gibbons* wait upon the Governor, and acquaint him, that the Houſe are met in Purſuance of his Writs, and ready to receive any Thing he may have to lay before them; and deſire he would be pleaſed to furniſh them with a Copy of the Writs by which they were ſummoned.

A Letter to the Speaker from the Sheriff of the County of *Northampton*, incloſing a due Return of a Repreſentative choſen to ſerve in Aſſembly for the ſaid County, and excuſing his not having done the ſame before, was laid before the Houſe and read, together with the ſaid Return.

A Petition from *Andrew Montour*, *Indian* Interpreter, was preſented to the Houſe and read, ſetting forth, that the Petitioner, ſince the late unfortunate Defeat at *Monongahela* (where he ſuffered conſiderable Damage) has been greatly ſtraitened in his Circumſtances, and is indebted to ſundry Perſons in ſeveral Sums of Money, for which his Goods are now taken in Execution, by Reaſon whereof his Family is greatly diſtreſſed; that the Petitioner is now employed in the Service of his Country againſt the common Enemy, and has left his Wife and Children in this Province; he therefore humbly prays that this Houſe will be pleaſed to afford his ſaid Family, during his Abſence, ſuch Relief, and provide for them in ſuch Manner, as their Circumſtances may require.

Ordered to lie on the Table.

The Gentlemen return, and report, that they had waited upon the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that he had a Meſſage now copying, in order to ſend down to the Houſe, which he believed would be ready in Half an Hour, if the Houſe would ſit ſo long; but in caſe it ſhould not be ready by that Time, he would acquaint the Houſe therewith by the Secretary, and ſend down by him a Copy of the Writs by which the Houſe were ſummoned.

The Houſe agreed to wait till they ſhould hear from the Governor; and ordered Candles to be brought in, which was done accordingly.

Calvin Cooper, returned a Repreſentative for the County of *Lancaſter*, appearing in the Houſe, took and ſubſcribed the Qualification by Law appointed to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

The Governor, by the Secretary, ſent down to the Houſe one of the Writs by which the Houſe were ſummoned, with ſundry Letters and Papers, which the Secretary informed the Houſe were the Foundation of the Meſſage intended to be ſent down by the Governor this Evening.

And the ſaid Writ, together with the ſaid Letters and Papers, being read, were ordered to lie on the Table for the Peruſal of the Members.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

‘ HAVING received Intelligence that a Party of *French* and *Indians* had deſtroyed ſome of the Settlements nigh the River *Suſquehanna*, killed a Number of the Inhabitants, and carried others off Priſoners, and that a conſiderable Body of them had paſſed the *Allegheny* Hills, and were moving towards the ſettled Parts of this Province, I iſſued Writs for calling you together; ſince which I have had repeated Accounts of the Motions of the Enemy, who, I am informed, are Fifteen Hundred in Number, and are encamped on the *Suſquehanna*, about thirty Miles above *Harris's* Ferry.

‘ The Papers that I have ordered to be laid before you will inform you of the Cruelties their Parties have committed upon the Inhabitants of this Province on both Sides the *Suſquehanna*, and that they have penetrated as far as the *Kittochtinny* Hills, within about eighty Miles of this City.

‘ This Invaſion was what we had the greateſt Reaſon to believe would be the Conſequence of General *Braddock's* Defeat, and the Retreat of the Regular Troops, and had my Hands been properly ſtrengthened, I ſhould have put this Province into ſuch a Poſture of Defence as might have prevented the Miſchiefs that have ſince happened.

‘ It ſeems clear from the different Accounts I have received, that the *French* have gained to their Intereſt the *Delaware* and *Shawaneſe Indians*, under the enſnaring Pretence of reſtoring them to their Country. Their intimate Knowledge of which will make them very dangerous Enemies to the Colonies in general, and to this in particular.

‘ As ſoon as I could inform myſelf of the Number and Motion of the *French* and *Indians* I ſignified the ſame to the neighbouring Governments, that they might not only be upon their Guard, but prepared to afford us ſuch Aſſiſtance as the Progreſs of

‘ the

1755. November 3.

‘ the Enemy might make neceſſary; and at the ſame Time tranſmitted to his Majeſty's ‘ Miniſters the Intelligence I had received, and acquainted them with the defenceleſs ‘ State of the Province.

‘ The People in the Back Counties have on this important Occaſion behaved themſelves with uncommon Spirit and Activity; but complain much of the Want of Order and Diſcipline, as well as of Arms and Ammunition. As we have no Militia, it is not in my Power to form the People into ſuch regular Bodies as the preſent Exigency requires, and you muſt be ſenſible that I have neither Money, Arms or Ammunition at my Diſpoſal; all I have therefore been able to do has been to iſſue Commiſſions to ſuch as were willing to take them, and to encourage the People to defend themſelves and their Families till the Government was enabled to protect them.

‘ The cruel and bloody Diſpoſition of the *Indians* is known to all, and has been unhappily felt by too many of the Inhabitants: What the Deſigns of the Enemy are can only be conjectured from their Motions and Numbers, from which, and from the known Circumſtances of this Province, there is Reaſon to apprehend they have ſomething more in View than barely cutting off and deſtroying ſome of the Frontier Settlements.

‘ His Majeſty and the Proprietaries having committed the People of this Province to my Charge and Care, I have done, and ſtill ſhall very readily do, every Thing in my Power to fulfil that important Truſt; and to that End, I think it my Duty to call upon you to grant ſuch Supplies of Money as his Majeſty's Service, at this important and dangerous Criſis, may require, and to prepare a Bill for eſtabliſhing a regular Militia, exempting ſuch as are conſcientiouſly ſcrupulous of bearing Arms, it being impoſſible, without ſuch a Law, though large Sums of Money ſhould be raiſed, to prevent Confuſion and Diſorder, or conduct Matters with any Degree of Regularity.

‘ As the Enemy are now laying waſte the Country, and ſlaughtering the Inhabitants, there is no Time to be loſt; I therefore think it neceſſary upon this Occaſion to inform you, that I am ready and willing to conſent to a Law for emitting any Sum in Paper-Money the preſent Service may require, if Funds are eſtabliſhed for ſinking the ſame in Five Years: But I cannot think it conſiſtent either with the Powers of my Commiſſion, or the Duty I owe the Crown, to paſs any Bills of the ſame or a like Tenor of thoſe I have heretofore refuſed. And I hope you will not waſte your Time in offering me any ſuch Bills, as you muſt know from what has paſſed between me and the late Aſſembly, and the Information I now give you, it is not in my Power to conſent to; and I earneſtly recommend it to you, to afford in Time that Aſſiſtance which your bleeding Country ſtands ſo much in Need of.

Philadelphia, November 3, 1755. *ROBERT HUNTER MORRIS.*"

And the ſaid Meſſage being again read, and conſidered, was referred for further Conſideration to To-morrow Morning.

Then the Houſe adjourned to Nine o'Clock To-morrow Morning. Adjournment

November 4.

A Petition from ſundry Inhabitants of the Town and County of *York* was preſented to the Houſe and read, ſetting forth, that the Petitioners find Numbers in the ſaid County willing to inliſt, and bear Arms for the Defence of the Frontiers during the Continuance of the preſent Troubles, if they had any Aſſurance of Arms, Ammunition, and reaſonable Pay: That three Fourths of the Petitioners have neither Arms nor Ammunition, and cannot ſupply themſelves therewith, and are moreover without any proper Regulation for their Conduct: That there are no Forts to ſhelter their Wives and Families during their Abſence, ſhould they go forth againſt their Enemies. The Petitioners therefore pray, that this Houſe would take the Premiſes into Conſideration, and enact ſuch Law or Laws as they ſhall judge beſt adapted to remedy the ſame.

Ordered to lie on the Table.

The Governor's Meſſage being again read, and conſidered,

Ordered, That *James Pemberton*, *William Callender*, *Joſeph Hamton*, *Joſeph Gibbons*, *Calvin Cooper*, *Francis Parvin* and *William Edmonds* be a Committee to prepare a Draught of a Meſſage to the Governor, in relation to that Part of the Governor's Meſſage which mentions the Diſaffection of the *Indians* in Alliance with this Government.

And the other Parts of the Governor's Meſſage were referred to farther Conſideration in the Afternoon.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Poſt Meridiem

A Petition from divers Inhabitants of the County of *Cheſter* was preſented to the Houſe and read, ſetting forth, that they have certain Intelligence that the *Indians* have already begun to commit Hoſtilities within this Province: That the repeated Alarms of *Indians* advancing towards the Inhabitants, gives the Petitioners the higheſt Apprehenſions of Danger to themſelves and Families: That the Petitioners are highly ſenſible of the Zeal and Diligence of this Houſe for the Intereſt and Welfare of their Conſtituents, in contending for what ought in Juſtice to be granted: That the Petioners however beg Leave to aſſure the Houſe, that ſhould any Conſideration whatſoever, but the immediate Pre-

1755. *November* 4. ſervation of the Lives of the Inhabitants, influence their Proceedings in this Seſſion of Aſſembly, they will by no Means anſwer the Expectations of their Conſtituents, who elected them to be the Guardians of their Lives as well as of their Fortunes: That the Eyes and Hopes of more than One Hundred Thouſand *Britiſh* Subjects are, on this Occaſion, intenſely fixed upon this Houſe for Aſſiſtance, which the Petitioners moſt humbly and earneſtly beg may not be denied them. *Ordered to lie on the Table.*

The Governor's Meſſage was again read, and conſidered, and, after ſome Time ſpent therein, was referred to farther Conſideration.

A Petition from *Thomas Craig* and *Hugh Wilſon*, of the *Forks of Delaware*, in the County of *Northampton*, was laid before the Houſe and read, ſetting forth the great Danger the Petitioners apprehend the Inhabitants of ſaid *Forks* to be in by Reaſon of the late Incurſions of the *Indians*, and praying that ſome Arms and Ammunition may be granted them for their Defence. *Ordered to lie on the Table.*

Adjournment *November* 5. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of a Meſſage to the Governor, relating to that Part of the Governor's Meſſage which mentions the Diſaffection of the *Indians*, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Rules uſually obſerved by the Aſſemblies of this Province being read,

Reſolved, That the two following Rules be added thereto, *viz.*

1. That thoſe Members who do not appear in the Houſe within Half an Hour after the Aſſembly Bell ceaſes to ring, ſhall pay *One Shilling*.

2. That every Member who ſhall abſent himſelf without Leave of the Houſe, or ſending a Letter containing the Reaſons of his Abſence, ſhall forfeit his whole Wages dureing that Sitting. And the Sufficiency of the Reaſons contained in ſuch Letters ſhall be determined by an immediate Vote of the Houſe.

All which Forfeitures ſhall be paid into the Charity Box, for the Uſe of the Provincial Hoſpital.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. SINCE the Iſſuing Writs for calling us together, the Governor is pleaſed to let us know, by his Meſſage of the Third Inſtant, that he had repeated Accounts of the Motions of a Party of *French* and *Indians*, who had deſtroyed ſome of the Settlements nigh the River *Suſquehanna*, who, he is informed, "are Fifteen Hundred in Number, "and are encamped on that River, about Thirty Miles above *Harris's* Ferry;" but we cannot find by the Papers and Letters the Governor has been pleaſed to lay before us, that Fifteen Hundred of the Enemy are encamped on *Suſquehanna*, about Thirty Miles above *Harris's* Ferry, or on any Part of that River. Nevertheleſs, it is too evident that the Back Settlers are greatly alarmed and terrified, and that Cruelties have been committed upon the Inhabitants, principally within the late Purchaſe made by the Proprietaries the laſt Year at *Albany*, by ſome Parties of the *Delaware* and *Shawaneſe Indians*, joined perhaps (though that is not very clear) with a few of the *French Mohawks*, who, ſeveral of the Accounts ſay, were to be followed by a large Number of *Indians* and *French* from Fort *Duqueſne*, with a Deſign of dividing themſelves into Parties to fall upon the remote Inhabitants of this Province and *Virginia*.

By theſe Hoſtilities of the *French*, and the *Indians* who have engaged to join them, the *Indians* who are inclined ſtill to preſerve their Alliances with us ſeem equally terrified, leſt the remote Inhabitants and the *Engliſh* generally ſhould revenge upon them the Barbarities committed by Parties of the *Delawares* and *Shawaneſe Indians*. Therefore, in our Opinion, it requires great Care and Judgment in conducting our *Indian* Affairs at this critical Juncture; for as the *Six Nations* are in Alliance with the Crown of *Great-Britain*, and Numbers of them joined the King's Forces under General *Johnſon*, who acted with great Fidelity and Bravery: It ſeems abſolutely neceſſary on our Part to requeſt the Governor would be pleaſed to inform us, whether he knows of any Diſguſt or Injury the *Delawares* or *Shawaneſe* have ever received from this Province, and by what Means their Affections can be ſo alienated as not only to take up the Hatchet againſt us, in Breach of their Dependance upon the *Six Nations*, by whom they were long ſince ſubdued, but of the friendly Interviews and Treaties we have ſo repeatedly and very lately held with them and the *Indians* of the *Six United Nations* both before and ſince the Defection of Part of the *Shawaneſe* under *P. Chatier*, to whom particularly this Government interpoſed their good Offices, in procuring the Liberty, and ſending Home a Number of their People, as we apprehended, very much to their Satisfaction.

We likewiſe requeſt the Governor would be pleaſed to inform us, whether he has any Knowledge of the Inclinations of the *Six Nations*, or what Part they have acted in relation to this cruel Incurſion of the *Delawares* and *Shawaneſe* within the Limits of this Province.

Province. And that he would lay before us the *Indian* Treaty, held at *Philadelphia* in *September* last, as we are resolved to do every Thing in our Power to redress them, if they shall appear to have received any Wrong or Injury at our Hands, though nothing of that Kind hath come to our Knowledge; and if possible to regain their Affections, rather than by any Neglect or Refusal of that Justice we owe to them and all our *Indian* Allies, entail upon ourselves and our Posterity the Calamities of a cruel *Indian* War; of which we apprehend there may be too much Danger, unless the most speedy and cautious Methods are taken to prevent it."

1755. *November* 5.

And the foregoing Message being signed by the Speaker, by Order of the House,

Ordered, That *Griffith Owen* and *Samuel Brown* wait upon the Governor, and deliver the same.

A Petition from *William Moore*, and *Thirty-five* others, Inhabitants of the County of *Chester*, praying that this House would not keep up unnecessary Disputes with the Governor, nor, by Reason of their religious Scruples, longer neglect the Defence of the Province, was presented to the House and read, and *Ordered to lie on the Table.*

Sundry Letters from the Agents in *Great-Britain*, to the Committee of Correspondence, were laid before the House and read.

The Governor, by the Secretary, sent down to the House a Message in Writing, together with sundry Papers therein referred to, which were severally read, and the Message is as follows, *viz.*

GENTLEMEN,

'I THIS Minute received Intelligence, that the Settlements at a Place called the *Great Cove*, in the County of *Cumberland*, are destroyed, the Houses burnt, and 'such of the Inhabitants as could not make their Escape either slaughtered or made Pri- 'soners. This, and the other Cruelties committed upon our Frontiers, has so alarmed 'the remaining Inhabitants, that they are quitting their Habitations, and crowding into 'the more settled Parts of the Province, which in their Turn will become the Frontier 'if some Stop is not speedily put to the cruel Ravages of these bloody Invaders. In this 'melancholy Situation of our Affairs, any Delay may be attended with the most fatal 'Consequences; I must therefore again most earnestly press you, upon this further In- 'telligence, to strengthen my Hands, and enable me speedily to draw forth the Forces 'of this Province against his Majesty's Enemies, and to afford the necessary and timely 'Assistance to the Back Inhabitants.

A Message from the Governor to the Assembly.

Philadelphia, November 5, 1755.
Four o'Clock, *P. M.* *ROBERT HUNTER MORRIS.*"

The Gentlemen appointed to wait upon the Governor with the Message of the House, return, and report, that they had delivered the same according to Order.

The Governor's Message being again read, and considered,

Resolved, That the Sum of *Sixty Thousand Pounds* be, at this Time, granted to the King's Use; and that the said Sum be struck in Paper Bills of Credit, and sunk by a Tax of *Six-pence per* Pound, and *Ten Shillings per* Head, yearly, for Four Years, on all the Estates, Real and Personal, and Taxables, within this Province.

Ordered, That *Joseph Stretch*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge*, *Calvin Cooper* and *William Edmonds* be a Committee to prepare and bring in a Bill pursuant to the foregoing Resolve.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *November* 6.

A Petition from sundry Inhabitants of the County and Borough of *Lancaster*, praying, that this House would grant them a Supply of Arms and Ammunition, and take such other Measures for their Safety as to the Wisdom of the House should seem proper, was presented to the House and read, and *Ordered to lie on the Table.*

A Petition from divers Inhabitants of the Townships of *Tinnecom*, *Nocamixon* and *Springfield*, in the County of *Bucks*, was presented to the House and read, setting forth the great Terrors the Petitioners are under, occasioned by the Ravages of the *Indians* on the Borders of this and the neighbouring Provinces, and praying for a Supply of Arms and Ammunition, and that some Method may be fallen upon to enable the Inhabitants to distinguish our friendly *Indians* from others. *Ordered to lie on the Table.*

It being observed by the House, that all the Names, subscribed to the foregoing Petition from *Bucks* County, were in one Handwriting, and some of them on a separate Piece of Paper, pinned to the said Petition; and as the House are liable to be greatly imposed upon by admitting Petitions signed in that Manner,

Resolved, That this House will not for the future receive any Petitions but what are signed in the proper Handwriting of the Petitioners respectively.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

A Bill for striking the Sum of *Sixty Thousand Pounds* in Bills of Credit, and for granting the same to the King's Use; and to provide a Fund for sinking the same, by a Tax of *Six-pence per* Pound, and *Ten Shillings per* Head, yearly, for four Years, on all the Estates

1755. Eſtates, Real and Perſonal, and Taxables, within this Province, was brought in by the Committee appointed to prepare the ſame, and read the firſt time, and ordered a ſecnod Reading To-morrow Morning.

November 6.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 7. The Houſe being informed, that ſundry Freeholders of the City of *Philadelphia* were attending without, and deſired Admittance, in order to preſent an Addreſs to the Houſe, they were called in; and they accordingly preſented the following Addreſs, ſigned by *Twenty-three* of the People called *Quakers*, which was read by the Clerk, and they then withdrew, *viz.*

To the REPRESENTATIVES of the Freemen of the Province of *Pennſylvania*, in GENERAL ASSEMBLY met, at *Philadelphia*, *Eleventh Month* 7, 1755.

The ADDRESS of ſome of the People called Quakers, *in the ſaid Province, on Behalf of themſelves and others.*

THE Conſideration of the Meaſures which have lately been purſued, and are now propoſed, having been weightily impreſſed on our Minds, we apprehend that we ſhould fall ſhort of our Duty to you, to ourſelves, and to our Brethren in religious Fellowſhip, if we did not in this Manner inform you, that although we ſhall at all Times heartily and freely contribute, according to our Circumſtances, either by the Payment of Taxes, or in ſuch other Manner as may be judged neceſſary, towards the Exigencies of Government; and ſincerely deſire that due Care may be taken, and proper Funds provided, for raiſing Money to cultivate our Friendſhip with our *Indian* Neighbours, and to ſupport ſuch of our Fellow-Subjects who are or may be in Diſtreſs, and for ſuch other like benevolent Purpoſes: Yet as the raiſing Sums of Money, and putting them into the Hands of Committees, who may apply them to Purpoſes inconſiſtent with the peaceable Teſtimony we profeſs, and have borne to the World, appears to us in its Conſequences to be deſtructive of our religious Liberties, we apprehend many among us will be under the Neceſſity of ſuffering rather than conſenting thereto by the Payment of a Tax for ſuch Purpoſes, and thus the Fundamental Part of our Conſtitution may be eſſentially affected, and that free Enjoyment of Liberty of Conſcience, for the Sake of which our Fore fathers left their native Country, and ſettled this, then a Wilderneſs, by Degrees be violated.

We ſincerely aſſure you we have no temporal Motives for thus addreſſing you, and could we have preſerved Peace in our own Minds, and with each other, we ſhould have declined it, being unwilling to give you any unneceſſary Trouble, and deeply ſenſible of your Difficulty in diſcharging the Truſt committed to you irreproachably in theſe perilous Times, which hath engaged our fervent Deſires, that the immediate Inſtructions of ſupreme Wiſdom may influence your Minds, and that being preſerved in a ſteady Attention thereto, you may be enabled to ſecure Peace and Tranquility to yourſelves and thoſe you repreſent, by purſuing Meaſures conſiſtent with our peaceable Principles; and then we truſt we may continue humbly to confide in the Protection of that Almighty Power, whoſe Providence has heretofore been as Walls and Bulwarks round about us."

The Bill for ſtriking the Sum of *Sixty Thouſand Pounds* in Bills of Credit, and for granting the ſame to the King's Uſe; and to provide a Fund for ſinking the ſame by a Tax of *Six-pence per* Pound, and *Ten Shillings per* Head, yearly, for four Years, on all the Eſtates, Real and Perſonal, and Taxables, within this Province, was read the ſecond time, debated, and ordered to be tranſcribed for a third Reading.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

Sundry Letters from Perſons reſiding on and near the Frontiers, relating to the Incurſions of the *French* and *Indians*, were laid before the Houſe and read.

A Petition from ſundry Inhabitants of the Town and County of *York*, praying for Arms and Ammunition, was preſented to the Houſe and read, and

Ordered to lie on the Table.

A Petition from divers Inhabitants of the County of *Bucks* was preſented to the Houſe and read, praying, that this Houſe would paſs ſuch a Law as might enable this Province to raiſe Forces to join thoſe of the neighbouring Provinces, in order to repel our Enemies on the Frontiers; and alſo enable the Inhabitants of this Province to put themſelves in ſuch a military Poſture of Defence, as would convince our Enemies that we are able and willing to defend our Civil and Religious Privileges.

Ordered to lie on the Table.

Ordered, That *Joſeph Stretch*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *Calvin Cooper*, *Francis Parvin* and *William Edmonds* be a Committee to prepare a Draught of a Bill for ſupplying the Weſtern and Northern *Indians*, Friends and Allies of *Great-Britain*,

Britain, with Goods at more easy Rates, supporting an Agent or Agents among them, and preventing Abuses in the *Indian* Trade. 1755. November 7.

The Address of sundry of the People called *Quakers* was again read, and considered.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment. November 8.

The Bill, entituled, *An Act for striking the Sum of* Sixty Thousand Pounds *in Bills of Credit, and for granting the same to the King's Use; and to provide a Fund for sinking the same by a Tax of* Six-pence per *Pound, and* Ten Shillings per *Head, yearly, for Four Years, on all the Estates, Real and Personal, and Taxables, within this Province*, being transcribed, was read the third Time;

Resolved, That the Bill do pass.

James Pemberton, *Joseph Trotter*, *Joshua Morris*, *Thomas Cummings*, *William Peters*, *Peter Worral*, *Francis Parvin*. } Dissentient.

Ordered, That *John Hughes* and *James Webb* do carry up the same to the Governor for his Concurrence.

A Bill for supplying the Western and Northern *Indians*, Friends and Allies of *Great-Britain*, with Goods at more easy Rates, supporting an Agent or Agents among them, and preventing Abuses in the *Indian* Trade, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

The Gentlemen return, and report, that they had delivered the Bill for granting *Sixty Thousand Pounds* to the King's Use, to the Governor according to Order.

A Petition from divers Inhabitants of *Paxton-Narrows*, in the County of *Lancaster*, was presented to the House and read, praying, that this House would either enact a Militia Law, or grant a sufficient Sum of Money to maintain such a Number of regular Troops as may be thought necessary to defend our Frontiers, and build Fortifications in proper Places; also, that *Conrad Weiser* may be sent to the *Indians* at or about *Shamokin*, in order to sound their Dispositions, and engage them to come down among the Inhabitants with their Wives and Children, where they may be plentifully supplied with every Necessary, and be out of the Reach of the Intrigues of our Enemies.

Ordered to lie on the Table.

A Message from the Governor, by the Secretary:

SIR,

" The *Indians* have signified to the Governor, by Mr. *Weiser*, that they have some-
" thing to say to the Governor, his wise Men, and the People of this Province; and the
" Governor will be at the State-house at Three o'Clock this Afternoon for that Purpose.
" The Governor orders me to give you this Notice, that you may be present if you
" choose it."

Resolved, That this House will attend the Governor this Afternoon, to hear what the *Indians* propose to say.

Ordered, That *William Peters* and *Francis Parvin* have Leave to be absent the Remainder of this Sitting, on urgent Business.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

David M'Connaughy, returned a Representative for the County of *York*, appearing in the House, took and subscribed the Qualification by Law appointed to be taken by Members of Assembly, and then took his Seat in the House accordingly.

A Petition from a considerable Number of the Inhabitants of the Frontier Settlements, in the County of *York*, was presented to the House and read, setting forth, that a savage and cruel Enemy are at this Time upon our Borders, barbarously murdering our Friends and Fellow-Subjects, while the Petitioners are unable to afford them the wanted Assistance; that the Petitioners would have been in more unhappy Circumstances, were it not for the generous Supply of Arms and Ammunition sent them by this House, for which they beg Leave to return their hearty and most grateful Acknowledgments; that the said Arms and Ammunition are put into good Hands, by Means whereof those who have received them are spirited up to withstand the common Enemy. The Petitioners therefore pray, that this House would enable them yet more to shew with what Resolution they shall endeavour to defend their Lives and Properties, their King and Country.

Ordered to lie on the Table.

The Governor, by the Secretary, sent down to the House a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

'YOU have been now sitting six Days, and instead of strengthening my Hands, and providing for the Safety and Defence of the People and Province, in this Time of imminent Danger, you have sent me a Message wherein you talk of regaining the Affections of the *Indians* now employed in laying waste the Country, and butchering the Inhabitants, and of enquiring what Injustice they have received, and into the Causes A Message from the Governor to the Assembly.

1755. *November* 8.

'of their falling from their Alliance with us, and taking Part with the *French*. Such 'Language at this Time, and while the Province is in its preſent Circumſtances, ſeems 'to me very extraordinary, as no Complaint has ever to my Knowledge been made by 'them of any Injury done them.

'I am ſorry you ſhould at this Time ſend me the Bill I have juſt now received, when 'I had heretofore refuſed my Aſſent to one of the ſame Kind, and in my Meſſage of the 'Third Inſtant informed you, that I could not give my Conſent to ſuch a Bill.

'I ſhall not enter into a Diſpute whether the Proprietaries ought to be taxed or not. '——It is ſufficient for me, that they have given me no Power in that Caſe.——And 'I cannot think it conſiſtent either with my Duty or Safety, in Matters of Govern-'ment, to exceed the Powers of my Commiſſion, much leſs to do what that Commiſ-'ſion expreſsly prohibits.

'Upon the repeated Accounts I have had of the miſerable Situation of the Back In-'habitants, and the Diſorder and Confuſion among thoſe that are aſſembled in their 'Defence, the Council have unanimouſly adviſed me to go into the Back Counties, to 'put Things in the beſt Order poſſible, and to afford my Countenance and Aſſiſtance 'to thoſe that are willing to take up Arms in Defence of their Country. This I de-'clined doing till I knew what you would propoſe upon the preſent Occaſion; and 'having now received from you a Bill that you well knew I could not give my Con-'ſent to, I deſpair of your doing any Thing, and ſhall therefore immediately ſet off for 'the Back Counties; and if they have not all the Aſſiſtance their preſent Diſtreſſes make 'neceſſary, it will not be for want of Inclination in me but Power.

'I ſhall take with me a Quorum of the Council, and if you ſhall have any Bills to 'propoſe that are conſiſtent with the Duties of my Station, and the juſt Rights of Go-'vernment, I ſhall readily give my Aſſent to them, whenever they are brought to me.

Philadelphia, November 8, 1755. *ROBERT HUNTER MORRIS.*"

And the ſaid Meſſage being again read, and conſidered,

Ordered, That *Joſeph Fox* and *William Edmonds* wait upon the Governor, and acquaint him, that the Houſe deſire to know his determinate Reſolution, whether he will or will not paſs the Bill now before him for granting *Sixty Thouſand Pounds* to the King's Uſe; and if he does not incline to paſs the ſaid Bill, that he would be pleaſed to return it to the Houſe.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, when the Members enquired whether he would or would not paſs the *Sixty Thouſand Pound* Bill, "That if "the Houſe would ſend him a Meſſage in Writing on that Head he would return them "an Anſwer;" and upon the Members aſking the Governor, whether he would return the ſaid Bill to the Houſe or not, he was pleaſed to ſay, "That he ſhould not return "the ſaid Bill to the Houſe."

The ſaid Members brought to the Houſe a Copy of a Minute of Council of this Morning, relating to *Indian* Affairs, which they ſaid was put into their Hands by the Secretary, in order to be laid before the Houſe.

And the ſaid Minute of Council was read, and ordered to lie on the Table for the Peruſal of the Members.

The Governor's Meſſage of this Afternoon, being again read, and conſidered,

Ordered, That *Joſeph Stretch*, *Benjamin Franklin*, *Joſeph Hamton*, *George Aſhbridge*, *James Webb*, *David M'Connaughy* and *William Edmonds* be a Committee to prepare a Draught of a Meſſage to the Governor, in Anſwer thereto.

Adjournment *November* 10.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

Poſt Meridiem

The Houſe met, purſuant to their Adjournment.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of the Eighth Inſtant, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Upon Motion made,

Reſolved, That this Houſe will allow ſuch reaſonable Expences as *Conrad Weiſer* may be put to, in providing the *Indians* now in Town with Neceſſaries.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'AFTER the *Indians* had in Public demanded the Aſſiſtance of this Government, 'and deſired to know what we intended to do, and whether they were to depend 'upon us for Protection, or take Care of themſelves;——they came to me in Council, 'and informed me by Mr. *Weiſer*, the Provincial Interpreter, that they and their 'Brethren living upon the *Suſquehanna*, who were about Three Hundred Fighting 'Men, were now the only *Indians* in this Part of the Continent, beſides the *Six Nations*, 'that remained firm to the *Engliſh* Intereſt; the *French* having, at a great Expence,

'and

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'and by Variety of Artifices, gained to their Alliance not only the *Delawares* and *Shawaneſe*, but other very numerous Nations to the Weſtward, compared to whom they were but a Handful: That the *French* and thoſe their Allies were coming down againſt the *Engliſh*, and had given them Notice to get out of their Way: That the Body of the *Six Nations* were employed in protecting their own Country, and aſſiſting the *Engliſh* to the Northward, and could not therefore afford them any Help at ſo great a Diſtance; wherefore they declared, that they and their Brethren were willing to act in Conjunction with the *Engliſh* againſt the *French* and their Allies, but that in their preſent Situation and Circumſtances they could not take the Weight of the War upon themſelves.

'What they deſire from us at preſent is, that we would put the Hatchet into their Hands; that we would ſend a Number of our young Men to act in Conjunction with their Warriors, and furniſh the neceſſary Arms, Ammunition and Proviſions; that we would build ſome ſtrong Houſes for the Protection of their old Men, Women and Children; and that they may be ſupplied from Time to Time with Neceſſaries.

'They further inſiſt upon knowing the Reſolutions of this Government as to theſe Matters, and upon having an explicit Anſwer without further Delay, that they may prepare to act with us, or take the neceſſary Meaſures for their own Security. They have aſſured me, in a very ſolemn and peremptory Manner, that this is the laſt Application they intend to make; in which if they do not ſucceed, they can have no longer any Dependance upon us, but muſt leave us as an infatuated People to the Mercy of our Enemies.

'I muſt obſerve, Gentlemen, that I cannot but look upon this as one of the moſt important Matters that ever came under your Conſideration. You know our own critical Situation, and cannot be Strangers to theirs: The Enemy is daily laying waſte our Country, and it cannot be expected that theſe *Indians* will expoſe themſelves for us to the Fury of Nations far more powerful than themſelves, unleſs we vigorouſly ſupport and aſſiſt them.——*Indians* are of a martial Spirit, and, at ſuch a Seaſon as this, muſt be in Action. If therefore they find that we continue to refuſe either to act in Defence of ourſelves or them, they muſt neceſſarily leave us, and throw themſelves for Protection into the Hands of the *French*, our buſy Enemy, who will ſpare no Expence or Trouble to gain ſuch an Advantage, and are at this Time uſing every Artifice to corrupt and alienate them from our Intereſt.

'How fatal this muſt prove to us, and all the *Engliſh* Colonies, you, Gentlemen, cannot be ignorant. The Effects of our paſt Diſputes have already been too ſeverely felt, and it is to be feared, if the preſent Politics and pacific Meaſures are perſiſted in, the Conſequences will be ſtill more dreadful. Let me, therefore, earneſtly recommend it to you, that you will enable me to put the Hatchet into their Hands, and afford them the Aſſiſtance of the Province in ſuch a Manner as they deſire.

'Your vigorous and hearty Compliance may be a Means of reſtoring Quiet to our poor Back Settlers, who are daily calling out for that Protection from us which is juſtly due to them. But if, through your Refuſal, theſe *Indians* ſhould be obliged not only to leave us, but to act againſt us, all the dreadful Conſequences of it muſt be left at your Door; for I am ready and deſirous to do any Thing, conſiſtent with my Duty to the Crown, for the Protection and Aſſiſtance as well of theſe our Allies, as of the Inhabitants of this Province in general.

'Upon this important Affair, Gentlemen, and at the preſſing Inſtances of theſe *Indians*, I have put off my Journey to the Back Settlements, although I conceive my Preſence among them at this Time to be extremely neceſſary. Let me, therefore, recommend Diſpatch to you, as theſe *Indians* are ſo preſſing to be gone, in order to ſee after their Families and Friends, declaring, in the ſtrongeſt Manner, that they have not a Moment to loſe, and muſt take their Meaſures immediately.

Philadelphia, November 10, 1755. *ROBERT HUNTER MORRIS.*"

The foregoing Meſſage being again read, and conſidered,

Ordered, That *Joſeph Stretch*, *Benjamin Franklin*, *Joſeph Hamton*, *George Aſhbridge*, *James Webb*, *David M'Connaughy* and *William Edmonds* be a Committee to prepare a Draught of a Meſſage to the Governor in Anſwer thereto.

A Petition from ſundry Inhabitants of the *Forks of Delaware*, *Lower* and *Upper Smithfield*, in the County of *Northampton*, praying, that a Militia Law may be paſſed as ſoon as poſſible, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Bill for ſupplying the Weſtern and Northern *Indians*, Friends and Allies of *Great-Britain*, with Goods at more eaſy Rates, ſupporting an Agent or Agents among them, and preventing Abuſes in the *Indian* Trade, was read the ſecond time, and ordered to be tranſcribed for a third Reading.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment. *November* 11.

The Houſe being informed that *Edward Kelly* had lately committed ſundry Miſdemeanours in his Office as Door-keeper to this Houſe, he was called in, and interrogated concerning

1755. concerning the ſame; and he not having any Thing to offer in his own Vindication, was directed to withdraw.

November 11. *Reſolved*, That the ſaid *Kelly* be diſmiſſed the Service of this Houſe.

A Petition from *David Edwards*, of the City of *Philadelphia*, praying to be appointed Door-keeper to this Houſe, was preſented to the Houſe and read.

Reſolved, That the ſaid *David Edwards* be Door-keeper to this Houſe for the Year enſuing.

A Petition from ſundry Inhabitants of the Townſhip of *Hanover*, in *Lancaſter* County, praying for Arms and Ammunition, was preſented to the Houſe and read, and

Ordered to lie on the Table.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of Yeſternight, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Treaty held with the *Indians* in *Auguſt* laſt was laid before the Houſe and read.

The Bill, entituled, *An Act for ſupplying the Weſtern and Northern* Indians, *Friends and Allies of* Great-Britain, *with Goods at more eaſy Rates, ſupporting an Agent or Agents among them, and preventing Abuſes in the* Indian *Trade*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Anſwer to the Governor's Meſſage of the Eighth Inſtant, being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. THE Houſe came together at this Time with the ſincereſt Diſpoſitions to avoid, if poſſible, all Diſputes with the Governor on any Account whatever. And being deeply affected with the preſent diſtreſsful Circumſtances of the Frontier Counties, determined to do, for the public Safety and Welfare, every Thing that could reaſonably be expected from them, either as dutiful Subjects to the Crown, or Lovers of their Country.

Accordingly, on reading the Governor's Meſſage of the Third Inſtant, with the Papers accompanying the ſame, a Bill was immediately propoſed for raiſing a large Sum for the King's Service, and to ſtrike the ſame in Paper Bills, and provide a Fund for ſinking the Whole within Five Years, as recommended by the Governor.

In the mean Time, as this Colony had been founded on Maxims of Peace, and had hitherto maintained an uninterrupted Friendſhip with the Natives, by a ſtrict Obſervation of Treaties, conferring Benefits on them from Time to Time, as well as doing them Juſtice on all Occaſions, it could not but ſurprize us to hear, that our old Friends were on a ſudden become our cruel Enemies. And as the Governor was pleaſed to tell us, "the *French* had gained the *Delawares* and *Shawaneſe* to their Intereſt, under the "enſnaring Pretence of *Reſtoring them to* their *Country*;" it ſeemed natural and proper for us to enquire, on this Occaſion, whether the *Indians* complained of any Injury from this Province, either in regard to their Lands, or on any other Account; and to expreſs our Readineſs to do them Juſtice (in caſe ſuch Complaints were well founded) before Hoſtilities were returned, and the Miſchief grew more extenſive. For our better Information in this Matter, and without intending the leaſt Offence to the Governor, we requeſted he would be pleaſed to lay before us the laſt Treaty, held with them in *September*. Our Meſſage to this Effect was ſent up on the ſecond Day after our entering on Buſineſs. But the Governor vouchſafed us no Anſwer till now, and ſeems exceedingly diſpleaſed with the Application.

From the Governor's *immediate* Refuſal of his Aſſent to a Bill of ſo much Importance, when he had but "*juſt received it*" from us, and his ſaying, it is "of the ſame Kind "with one he had before refuſed his Aſſent to," we apprehend his Refuſal ariſes from his not having allowed himſelf Time to conſider it. Indeed all Bills for raiſing Money for Public Uſe, are ſo far *of the ſame Kind*; but this differs greatly from every former Bill that has been offered him, and all the Amendments (of any Conſequence) which he propoſed to the Bill he laſt refuſed, are in this Bill admitted, ſave that for totally exempting the Proprietary Eſtate. And we being as deſirous as the Governor to avoid any Diſpute on that Head, have ſo framed the Bill as to ſubmit it entirely to his Majeſty's Royal Determination, whether that Eſtate has or has not a Right to ſuch Exemption. There is ſo much Time allowed by the Bill, that the King's Pleaſure may poſſibly be known even before the firſt Aſſeſsment; but it is moreover provided, that if at any Time, during the Continuance of the Act, the Crown ſhould think fit to declare, that the Eſtates of the Proprietaries in this Province ought to be exempted, in ſuch Caſe the Tax, though aſſeſſed, ſhall not be levied, or if any Part has been levied, the ſame ſhall be refunded to the Proprietaries, and an additional Tax laid on the People to ſupply the Deficiency. We cannot conceive any Thing more fair and reaſonable than this; nor could

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could we possibly imagine that the Governor would object to it, or what he could object to it, since the Words in his Commission, which he is pleased to suppose contain an express Prohibition of his passing such a Bill as this, do not appear to us to have any such Meaning, and we presume will not to any others who may be thought more impartial. If it be one of the "*just Rights of Government*" that the Proprietary Estate should be exempted in a Tax for the common Defence of all Estates in the Province, those *just Rights* are well understood in *England*; the Proprietaries are there upon the Spot, and so can the more easily solicit their own Cause, and make their Right of Exemption appear, if such a Right there be; and were they at as great a Distance as we are, they might nevertheless safely confide in his Majesty's known Wisdom and impartial Justice, that all their just Rights would be duly preserved. The Equity of their being taxed on this Occasion for their Estate in this Province, has appeared so plain even to their best Friends here, that they entered into a voluntary Subscription to pay for them, what they supposed the Tax might amount to, being assured, as they said, that if the Proprietaries were present, it would be *altogether* unnecessary, and that they would freely repay what should be thus advanced for them; which Subscription was put into the Governor's Hands for his Security. If the Proprietaries should chuse to shew their Good-will to the Service, this Bill, if passed, might give them a happy Opportunity of doing it, by generously soliciting the King's Approbation to the Law, and refusing to petition for the Exemption. And since this Right of Exemption contended for in their Behalf, is never like to be settled here between the Governor and Assembly, the Bill puts it in the proper Train to be finally determined, and all future Disputes about it effectually prevented.

Our Assemblies have of late had so many Supply Bills, and of such different Kinds, rejected on various Pretences; Some for not complying with obsolete occasional Instructions (though other Acts exactly of the same Tenor had been past since those Instructions, and received the Royal Assent;) Some for being inconsistent with the supposed *Spirit of an Act of Parliament*, when the Act itself did not any way affect us, being made expresly for other Colonies; Some for being, as the Governor was pleased to say, "*of an extraordinary Nature*," without informing us wherein that extraordinary Nature consisted; and others for disagreeing with new discovered Meanings, and forced Constructions of a Clause in the Proprietary Commission; that we are now really at a Loss to divine what Bill can possibly pass. The Proprietary Instructions are Secrets to us; and we may spend much Time, and much of the Public Money, in preparing and framing Bills for Supply, which, after all, must, from those Instructions, prove abortive. If we are thus to be driven from Bill to Bill, without one solid Reason afforded us; and can raise no Money for the King's Service and Relief or Security of our Country, till we fortunately hit on the only Bill the Governor is allowed to pass, or till we consent to make such as the Governor or Proprietaries direct us to make, we see little Use of Assemblies in this Particular; and think we might as well leave it to the Governor or Proprietaries to make for us what Supply Laws they please, and save ourselves and the Country the Expence and Trouble. All Debates and all Reasonings are vain, where Proprietary Instructions, just or unjust, right or wrong, must inviolably be observed. We have only to find out, if we can, what they are, and then submit and obey. But surely the Proprietaries Conduct, whether as Fathers of their Country, or Subjects to their King, must appear extraordinary, when it is considered that they have not only formally refused to bear any Part of our yearly heavy Expences in cultivating and maintaining Friendship with the *Indians*, though they reap such immense Advantages by that Friendship; but they now, by their Lieutenant, refuse to contribute any Part towards resisting an Invasion of the King's Colony, committed to their Care; or to submit their Claim of Exemption to the Decision of their Sovereign.

In Fine, we have the most sensible Concern for the poor distressed Inhabitants of the Frontiers. We have taken every Step in our Power, consistent with the just Rights of the Freemen of *Pennsylvania*, for their Relief, and we have Reason to believe, that in the Midst of their Distresses they themselves do not wish us to go farther. Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety.—Such as were inclined to defend themselves, but unable to purchase Arms and Ammunition, have, as we are informed, been supplied with both, as far as Arms could be procured, out of Monies given by the last Assembly for the King's Use; and the large Supply of Money offered by this Bill, might enable the Governor to do every Thing else that should be judged necessary for their farther Security, if he shall think fit to accept it. Whether he could, as he supposes, "if his Hands had been properly "strenghtened, have put the Province into such a Posture of Defence, as might have "prevented the present Mischiefs," seems to us uncertain; since late Experience in our neighbouring Colony of *Virginia* (which had every Advantage for that Purpose that could be desired) shows clearly, that it is next to impossible to guard effectually an extended Frontier, settled by scattered single Families at two or three Miles Distance, so as to

1755. *November* 11. ſecure them from the inſidious Attacks of ſmall Parties of ſkulking Murderers:—But thus much is certain, that by refuſing our Bills from Time to Time, by which great Sums were ſeaſonably offered, he has rejected all the Strength that Money could afford him; and if his Hands are ſtill weak or unable, he ought only to blame himſelf, or thoſe who have tied them.

If the Governor proceeds on his Journey, and takes a Quorum of his Council with him, we hope, ſince he retains our Bill, that it will be ſeriouſly and duly conſidered by them; and that the ſame Regard for the Public Welfare, which induced them unanimouſly to adviſe his intended Journey, will induce them as unanimouſly to adviſe his Aſſent. We agree therefore to his keeping the Bill, earneſtly requeſting he would reconſider it attentively; and ſhall be ready at any Time to meet him for the Purpoſe of enacting it into a Law."

The Anſwer to the Governor's Meſſage of Yeſternight, being likewiſe tranſcribed, was again read, and follows in theſe Words, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

WE have conſidered the Governor's Meſſage of Yeſterday, relating to the Application and preſſing Inſtances of the *Indians*, and are glad to find, that he is at length prevailed on to declare himſelf "ready and deſirous to do any Thing, conſiſtent with "his *Duty to the* CROWN, for the Protection and Aſſiſtance, as well of our Allies, as of "the Inhabitants of this Province in general." We never have, and we hope never ſhall, deſire him to do any Thing inconſiſtent with that Duty. He has it now in his Power to do what he may think the Exigence requires, for the Service of the Crown, the Protection of our Allies, and of the Inhabitants of the Province. As Captain General he has, by the Royal Charter, full Authority to raiſe Men; and the Bill now in his Hands, granting *Sixty Thouſand Pounds*, will enable him to pay the Expences. We grant the Money chearfully, though the Tax to ſink it will be a heavy one; and we hope the Bill will receive his Aſſent immediately."

And the foregoing Meſſages being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Stretch* and *Richard Pearn* wait upon the Governor, and deliver the ſame, together with the Bill for ſupplying the Weſtern and Northern *Indians*, Friends and Allies of *Great-Britain*, with Goods at more eaſy Rates, ſupporting an Agent or Agents among them, and preventing Abuſes in the *Indian* Trade, and acquaint the Governor, that the Houſe deſire he would be pleaſed to give his Aſſent to the ſaid Bill.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 12. The Gentlemen appointed to wait upon the Governor with the Meſſages of the Houſe, and the Bill relating to the *Indian* Trade, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he ſhould take the ſaid Bill into Conſideration, and give it all the Diſpatch in his Power.

Ordered, That *Derrick Hogeland* have Leave to be abſent the Remainder of this Sitting, on urgent Buſineſs.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The following Repreſentation, ſigned by *William Plumſted*, Mayor of the City of *Philadephia*, and *One Hundred* and *Thirty-three* others, was preſented to the Houſe and read, *viz.*

A REPRESENTATION to the GENERAL ASSEMBLY *of the Province of* Pennſylvania, *by ſeveral of the principal Inhabitants of the City of* Philadelphia, *in ſaid Province.*

GENTLEMEN,

A Repreſentation of the Mayor and ſeveral of the Inhabitants of Philadelphia.

AT a Time when a bold and barbarous Enemy has advanced within about One Hundred Miles of this Metropolis, carrying Murder and Deſolation along with them;——and when we ſee our Country already ſtained with the Blood of many of its Inhabitants, and upwards of a Thouſand Families who very lately enjoyed Peace and Comfort in their own Habitations, now diſperſed over the Province, many of them in the moſt miſerable and ſtarving Condition, expoſed to all the Hardſhips and Severity of the Seaſon:——We ſay, in ſuch a Situation, we ſhould think ourſelves greatly wanting in Regard for our perſonal Safety, as well as in Compaſſion for our bleeding and ſuffering Fellow-Subjects, if we did not thus publicly join our Names to the Number of thoſe who are requeſting you to paſs a Law, in order to put the Province in a Poſture of Defence, and put a Stop to thoſe cruel and ſavage Outrages, which muſt otherwiſe ſoon prove our Ruin.

We hope we ſhall always be enabled to preſerve that Reſpect to you, which we would willingly pay to thoſe who are the faithful Repreſentatives of the Freemen of this Province. But, on the preſent Occaſion, you will forgive us, Gentlemen, if we aſſume Characters ſomething higher than that of humble Suitors, *praying* for the Defence of our

Lives

Lives and Properties, as a Matter of Grace and Favour on your Side: You will permit us to make a poſitive and immediate *Demand* of it, as a Matter of perfect and unalienable Right on our own Parts, both by the Laws of God and Man; and to this we are induced by the following Conſiderations. 1755. *November* 12.

1. The Approach of Winter brings the dreadful Proſpect of the continual Increaſe of the Inroads of thoſe preying Savages upon our Inhabitants, unleſs a proper Force is immediately provided to protect them. 2. The proper and *natural Force* of every Country is its Militia, without which we know of no Government that ever could ſubſiſt itſelf; for it is highly unjuſt to think that the Burden of Defence ſhould fall upon Individuals, when the Deſign of Government is, to obtain general Security by a general Union of the Force of Individuals. 3. Conſequently we conceive it a Subverſion of the very End of Government, to deny that *legal* Protection to the Governed, for obtaining of which, Government was originally inſtituted. 4. In our own particular Caſe, although Men could be found willing to riſk their Lives for the public Safety, and could be ſubjected to neceſſary Order and Diſcipline, without the Aid or Encouragement of a Law (which we cannot conceive poſſible) yet it would neither be adviſeable for the Sake of ſuch Men themſelves, nor yet for the Sake of *public Liberty*, to keep up an armed Force in the Country, without the Sanction and Authority of Law, eſpecially as it is ſo much in your Power to give ſuch a Sanction and Authority. 5. Unleſs the Defence of this Province, and of our *Indian* Allies is made the Act of the whole Legiſlature, and vigorouſly gone into, the *Indians* who are now in Town, have publicly declared for themſelves, and for their Friends yet in our Intereſt, that they can no longer repoſe any Faith in us; but muſt ſhift for their own Safety, and leave us to ourſelves, as a People void of Spirit or Conduct. 6. We are of Opinion that no Sums of Money, however great, will anſwer the Purpoſes of Defence, without ſuch a Law as we deſire. We cannot, therefore, think that it ſhews a proper Concern for the Lives of the People of this Province, to propoſe Sums of Money in the Room of ſuch a neceſſary Law; and to propoſe raiſing theſe Sums too in a Manner that muſt occaſion Diſputes and Delays, when there are ſo many unexceptionable Ways and Means agreeable, to which the People in general are very ready to pay any reaſonable Proportion of their Property for the Preſervation of the Remainder.

Upon the Whole, Gentlemen, we muſt be permitted to repeat our Demand, that you will immediately frame and offer a Law for the Defence of the Province, in ſuch a Manner as the preſent Exigency requires. The Time does not permit many Hands to be put to this Repreſentation. But if Numbers are neceſſary, we truſt we ſhall neither want a ſufficient Number of Hands nor Hearts, to ſupport and ſecond us, till we finally obtain ſuch a reaſonable Demand. *Ordered to lie on the Table.*

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Petition from *William Moore*, and others, of *Cheſter* County, the Addreſs from *Anthony Morris*, and others, of the People called *Quakers*, and the Repreſentation from *William Plumſted*, and others, of the City of *Philadelphia*, were again read, and conſidered. And the ſaid Papers appearing to the Houſe to contain ſundry Matters of an extraordinary Nature, they were referred to *Joſeph Fox*, *Benjamin Franklin*, *Joſeph Hamton*, *Peter Dicks*, *Calvin Cooper*, *David M'Connaughy* and *William Edmonds*, with Orders for them to take the ſame into Conſideration, and report their Opinion what it may be fit for the Houſe to do therein. *November* 13.

An Account from *Edward Kelly*, for his Services as Door-keeper to this Houſe, was laid before the Houſe and read, and referred to the Committee of Accounts.

Ordered, That *Joſeph Trotter* and *David M'Connaughy* wait upon the Governor, and acquaint him, that the Houſe deſire to know what Progreſs he has made in the Bill for regulating the *Indian* Trade.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen report, that they had waited on the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that he had read the Bill relating to the *Indian* Trade twice, and had referred it to his Council for their Conſideration. *Poſt Meridiem*

The Committee of Accounts reported on *Edward Kelly's* Account, that they were of Opinion the ſame ought to be allowed, amounting to *Two Pounds Eighteen Shillings* and *Eight-pence*.——To which Report the Houſe agreed.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to conſider the Petition from *William Moore*, and others, of *Cheſter* County, the Addreſs from *Anthony Morris*, and others, of the People called *Quakers*, and the Repreſentation from *William Plumſted*, and others, of the City of *Philadelphia*, made a Report thereon in Writing, which was read, and conſidered; but *November* 14.

ſome

1755. ſome Objections being made thereto, the ſame was re-committed to the Committee who brought it in, for Amendment.

November 14. Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

A Return of the Sheriff of the County of *Cumberland* was brought to the Houſe, by which it appeared, that *Joſeph Armſtrong* and *John Smith* were choſen Repreſentatives to ſerve in Aſſembly for the ſaid County.

And the ſaid *Joſeph Armſtrong* appearing in the Houſe, took and ſubſcribed the Qualification appointed by Law to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

Ordered, That *Richard Pearn* and *Joſeph Armſtrong* wait upon the Governor, and acquaint him, that the Houſe have waited ſeveral Days the Reſult of the Governor's Deliberations on the Bills now lying before him, and requeſt he would be pleaſed to acquaint them when they may expect to receive his final Anſwer.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that he had given the Bill relating to the *Indian* Trade to his Clerk to tranſcribe, and the Houſe ſhould ſoon know his Reſult thereupon; and that as to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, he was then re-conſidering it, according to the Requeſt of the Houſe, and when he came to any Reſolution upon the ſaid Bill, the Houſe might expect his final Anſwer; but he did not know when that would be.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 15. The Report of the Committee on the Petition from *William Moore*, and others, of *Cheſter* County, the Addreſs from *Anthony Morris*, and others, of the People called *Quakers*, and the Repreſentation from *William Plumſted*, and others, of the City of *Philadelphia*, being altered by the ſaid Committee, was read, and conſidered; and after ſome Time ſpent therein, was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

November 17. The Houſe met, according to their Adjournment.

Poſt Meridiem A Petition from ſundry Inhabitants of the County of *Cumberland*, praying that a Line of Forts may be erected from *Potowmack* to *Suſquehanna*, and properly garriſoned, for the Preſervation of the Inhabitants of the ſaid County, from the Incurſions of the *French* and their *Indians*, was preſented to the Houſe and read, and

Ordered to lie on the Table.

Ordered, That *Joſhua Morris* and *William Peters* wait upon the Governor, and acquaint him, that the Houſe deſire to know if he has yet come to any Reſult upon the two Bills now before him.

The Gentlemen return, and report, that they had waited on the Governor, and delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that he ſhould ſend a Meſſage in Writing to the Houſe this Evening relating to one of the Bills now before him, and that he had not as yet come to any Reſolution upon the other Bill.

The Governor, by the Secretary, ſent down to the Houſe the Bill for ſtriking the Sum of *Sixty Thouſand Pounds* in Bills of Credit, and for granting the ſame to the King's Uſe; and to provide a Fund for ſinking the ſame by a Tax of *Six-pence per* Pound, and *Ten Shillings per* Head, yearly, for four Years, on all the Eſtates, Real and Perſonal, and Taxables within this Province, with a Paper containing ſundry propoſed Amendments thereto, and a Meſſage in Writing, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I Have again taken into Conſideration your Bill for ſtriking *Sixty Thouſand Pounds*, and ſinking it by a Tax; and though I cannot recede from my former Opinion, that 'I am reſtrained by my Commiſſion from paſſing any Law for taxing the Proprietary 'Eſtate, yet I agree with you, that the Diſpute between us, whether the Proprietary 'Eſtate ought to be taxed by Act of the Legiſlature here, and whether I have a Power 'by my Commiſſion to paſs any Act for that Purpoſe, muſt in the End be determined 'by His Majeſty.

'But as I conceive the Method you propoſe by a Clauſe in your Bill of leaving that 'Matter to the Royal Determination is unprecedented, and that His Majeſty cannot properly give his Aſſent to ſome Parts of an Act, and reject others, but will, agreeable to 'the uſual Forms in ſuch Caſes, approve or diſapprove of the Whole: I have therefore 'returned, and am ready to paſs, your Bill, with ſome Amendments, the moſt material 'of which are the Striking out that Clauſe, and thoſe Parts of the Bill which ſubject the 'Proprietary Eſtate to Taxation; and in Lieu thereof, I propoſe that you ſhall prepare 'another Bill, whereby the Proprietary Eſtate ſhall be taxed in Proportion to the other 'Eſtates in the Province, and for the ſame Purpoſes; not by Aſſeſſors choſen by the 'People, but by Commiſſioners to be mutually choſen by you and me, and named in the

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'the Bill, with a ſuſpending Clauſe, that the ſame ſhall not take Effect, or be in Force, 'till it has received His Majeſty's Royal Approbation.

'This Mode of doing it will, in my Opinion, as effectually anſwer the End you pro-'poſe of laying this Affair before His Majeſty for his Determination, and I think more 'properly and methodically, and, in the mean Time, without waiting for that Determi-'nation, Money will be raiſed for ſupplying the preſſing Exigencies of the Province.

'I muſt confeſs that nothing but the implicit Confidence I have in His Majeſty's 'Goodneſs and Juſtice, that he will diſapprove of it, if it is wrong, and the moſt ſincere 'and ardent Deſire I have of doing every Thing in my Power for the Good and Security 'of the People committed to my Care, could induce me to paſs a Law in any Shape for 'the Taxing the Proprietaries Eſtate. And if you are equally ſincere, and equally affected 'with the Diſtreſſes and Miſeries of your bleeding Country, you can have no Objection 'to this Method of affording them immediate Succour and Relief.

Philadelphia, November 17, 1755. *ROBERT HUNTER MORRIS.*"

The Governor's propoſed Amendments to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe being again read, and conſidered,

Reſolved, That this Houſe will adhere to the ſaid Bill, without admitting any of the Governor's propoſed Amendments.

Ordered, That *John Hughes*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *Calvin Cooper*, *David M'Connaughy*, *Joſeph Armſtrong* and *William Edmonds* be a Committee to prepare a Draught of an Anſwer to the Governor's Meſſage of this Afternoon.

Reſolved, N. C. D. That if the Governor, after receiving the Anſwer of this Houſe to his laſt Meſſage, ſhould perſiſt in refuſing his Aſſent to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, which is ſo juſt and equitable in its Nature, and ſo abſolutely neceſſary at this Time to the Welfare of the *Britiſh* Intereſt in *America*, this Houſe will reſpectfully remonſtrate to our Sovereign, and humbly beſeech that he would be graciouſly pleaſed to cauſe our preſent Governor to be removed from this Province, or take ſuch other Meaſures as may prevent the fatal Conſequences that are likely to enſue from his Conduct.

The Houſe being informed, that at the Time of the Treaty held with the *Indians* at *Carliſle* in the Year 1753, after the Buſineſs of the Province was ended, a Chief of the *Shawaneſe* complained to ſome of the Commiſſioners, that Satisfaction had not been made to them by the Proprietaries for a large Tract of Land, Part of which was ſurveyed into the Manor of *Conedoguinet*; and that the Secretary then promiſed the ſaid Chief that Application ſhould be immediately made to the Proprietaries, in order to obtain the Satisfaction he deſired; but which there was ſome Reaſon to believe, either through the Neglect of the Secretary, or Refuſal of the Proprietaries, was never performed.

Ordered, That the ſame Committee who are appointed to prepare a Draught of a Meſſage to the Governor upon the *Sixty Thouſand Pound* Bill, do likewiſe prepare a Draught of a Meſſage to the Governor, relating to the ſaid Application of the *Shawaneſe* Chief for Satisfaction for the Lands about *Conedoguinet*.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment. *November* 18.

An Account from *John Harris*, of *Paxton*, for the Maintenance of *Indians* at his Houſe;

Alſo an Account from *George Honey*, of *Philadelphia*, for *Indians* Expences at his Houſe, were laid before the Houſe and read, and referred to the Committee of Accounts.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, with two Letters therein referred to, which were read, and the Meſſage follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE Secretary will lay before you the Intelligence I have received, that the *Indians* 'have fallen upon the Inhabitants at *Tulpehocken*, many of whom they have deſtroyed.

'By the Bill I have amended and returned to you, no Money can be iſſued till *January* 'next, before which the greateſt Part of this Province may be laid waſte, and the People 'deſtroyed, or drove from their Habitations: I think it therefore my Duty, upon the 'preſent Exigency of Affairs, to call upon you to grant an immediate Supply of Money, 'that I may be thereby enabled to afford the neceſſary and timely Aſſiſtance to the di-'ſtreſſed Inhabitants in the Back Counties, and to ſecure the Province in general.

'Should you enable me to raiſe Men upon the preſent Occaſion, I muſt recommend 'and preſs it upon you, to paſs a Law for the better Government of ſuch Forces at the 'Time when they are not joined by any of His Majeſty's regular Troops; for which you 'cannot have a better Standard than the Act of Parliament for puniſhing Mutiny and 'Deſertion, which is in ſome Things already extended to this Province.

'Without a Law of this Kind, it will be impoſſible to keep up or govern any Troops 'that may be raiſed; and as ſuch a Law is found abſolutely neceſſary in *England*, I hope

1755. ‘ you will think it equally ſo here, and immediately ſet about preparing one for this ‘ Province.

November 18. *Philadelphia, November* 18, 1755. *ROBERT HUNTER MORRIS.*”

The Committee appointed to prepare Draughts of two Meſſages to the Governor, reported the ſame to the Houſe, and they being read, and conſidered, were agreed to, and ordered to be tranſcribed, that they may be ſent up to the Governor.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The two Meſſages to the Governor being tranſcribed, were again read, and are as follow, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. WE are glad to find, that the Governor's chief remaining Objections to the Bill are only, that the *Method* it propoſes in a particular Clauſe, of leaving our Diſpute to the Royal Determination, is *unprecedented*, and that “ His Majeſty cannot properly aſſent “ to ſome Parts of an Act, and reject others.” On which we beg Leave to ſay, that we think the Bill is not liable to either of theſe Objections. Conditional or alternative Clauſes in Laws are far from being unprecedented, and the Clauſe objected to is no other: Nor is there any Neceſſity in the Method propoſed, that the Crown ſhould give its Aſſent to ſome Parts of the Act, and reject others. The Act will be complete in itſelf, and to be carried into Execution either Way, whether His Majeſty ſhall think fit to determine in Favour of the Proprietary Exemption or not. The Royal Approbation of the Law is *one diſtinct Act* of the Crown; the Declaration of the Royal Pleaſure, that the Proprietaries have a Right to be exempted from Taxes (if ſuch a Declaration is ever made) is *another diſtinct Act*, that may be done at any other Time, or at any Time during the Continuance of the Law; which ſecond diſtinct Act of the Crown, to be done in Purſuance of the Law, is, by the Law, to be attended with certain advantageous Conſequences to the Proprietaries, ſuch as a Forbearing to levy their Tax, or a Refunding it if levied. This very Refunding the Tax, if levied, is to be done, not becauſe a Part of the Law is rejected by the Crown (for that is not the Caſe) but it is to be done *in Execution* of the Law, and by Virtue of the Law itſelf. Were we to go into the other Method propoſed inſtead of this, and paſs two Bills at the ſame Time, one declaring poſitively that the Proprietary Eſtate ſhall not be taxed, (which the preſent Bill declares, as it now comes down amended by the Governor) and another expreſsly to tax that Eſtate, we think we ſhould be juſtly chargeable with doing what is not only *unprecedented* but abſurd; and that the diametrical Contradiction of two Laws paſſed at the ſame Time, and as it were with the ſame Breath, would, ſo far as they relate to the ſame Point, infallibly deſtroy each other, and the End aimed at by the Governor, *to wit*, Exempting the Proprietaries from Taxation, be thereby infallibly ſecured.

As to the Governor's Propoſal of a particular Manner of chuſing Commiſſioners to aſſeſs the Proprietary Eſtate, we conceive there is not the leaſt Neceſſity of deviating from the common Method on this Occaſion. The Aſſeſſors, yearly choſen throughout the Province, have eſtabliſhed Characters for Probity and Diſcretion, which gives the People that Confidence in them that occaſions their Choice. They are moreover under Oaths or ſolemn Affirmations to do impartial Juſtice, “ according to the beſt of their Skill and “ Abilities, neither ſparing any Perſon for Favour or Affection, nor grieving any for “ Hatred or Ill-will;” and though it is poſſible that in the many private Eſtates they have to aſſeſs, ſome ſmall Inequalities may at Times eſcape their Obſervation, yet we think in aſſeſſing the Proprietary Eſtate they would be extremely careful to avoid giving any juſt Grounds of Complaint, and make their Uprightneſs in that Tranſaction a Point of Honour as well as Conſcience; in which they would be ſtrengthened by this Conſideration, that an iniquitous unjuſt Aſſeſsment of that Eſtate, would give the beſt Grounds to the Proprietaries whereon to found their Application to the Crown for the Exemption claimed; and as that Application may by the Bill be made, and the Right of Exemption declared by the Crown at any Time within the four Years Continuance of the Act, the Aſſeſſors would, by one Act of Injuſtice, incur the Danger of loſing all their Trouble in Aſſeſſing and Collecting that Tax perhaps for ſeveral Years, and loſing the whole Money raiſed by it to the Public, the Law obliging a Reſtitution to be made to the Proprietaries, whenever the Crown ſhall think fit to make ſuch Declaration. So that not only from Conſcience and Honour, but from a Regard to the Public Intereſt, the Aſſeſſors will be induced to do Juſtice to that Eſtate, and thereby prevent all Cauſe of Complaining.

But to ſatisfy the Governor farther, that not only the Taxing of the Proprietary Eſtates, but the Aſſeſſing them by the common Aſſeſſors, is agreeable to the Practice at Home in taxing the Lords of Parliament, we beg Leave to refer him to the Votes of the Houſe of Commons, an Extract of which we herewith ſend him, where the Peers in 1692 propoſed a like Amendment to a Money Bill, *viz.* to appoint ſeparate Aſſeſſors for the Lords to be nominated in the Bill; but it appears, that on the Commons refuſing it, their Lordſhips preſently dropped the Propoſal, and as far as we know have never ſince revived it.

It

1755. *November* 18.

It is, may it please the Governor, one of the most valuable Rights of *British* Subjects, to have their Bills granting Money to the Crown, accepted without Amendments; a Right that cannot be given up, without destroying the Constitution, and incurring greater and more lasting Mischiefs than the Grant of Money can prevent. The *present Assembly*, however, being a new Body, thought themselves at Liberty to consider the Twenty Amendments proposed by the Governor to the Bill of the *last Assembly* for granting *Fifty Thousand Pounds*, and without seeing the Necessity or Use of many of those Amendments, but merely as they wished and hoped thereby to avoid all Dispute, admitted *every one of them* that was of any Consequence into the present Bill; except that of exempting the Proprietary Estate, and that was so modified, as they imagined no farther Objection could remain.—We find, however, in this Instance, how little is to be gained by such Compliance, and how endless it is to admit any Change in such Bills; for now the Governor proposes to amend his own Amendments, adds to his own Additions, and alters his own Alterations; so that, though we should accede to these, we are not sure of being ever the nearer to a Conclusion. In Fine, as it is a Money Bill, as the whole Sum is granted to the Crown, and to be paid by a Tax on the Subjects in this Province, we cannot receive any Amendment to it. And as the Passing the proposed separate Bill is equally inconsistent with the Governor's Construction of the Prohibitory Clause in his Commission, which he seems now to have got over, and he only mentions this Mode, as in his Opinion it will "bring "the Affair before His Majesty *more properly and methodically*;" we hope he will not, for the Sake of a mere Opinion of more Propriety or better Method in a particular Clause, any longer refuse a Bill of so great Importance at this Juncture to His Majesty's Service, the Security of the Proprietary Estate, now going daily to Ruin, and the Relief of the poor distressed Inhabitants of the Province. The same "implicit Confidence in His Ma-"jesty's Goodness" that "induces him to pass a Bill in any Shape for taxing the Pro-"prietary Estate," may encourage him to hope, that any little Impropriety (if such there should be) in the *Manner* of laying the Affair before His Majesty, will be graciously passed over. Though we flatter ourselves, that the Governor will, on farther Consideration, be persuaded with us, that the Manner provided in this Bill is on many Accounts the most proper, and that the Money will be raised for the present Use with the same Readiness and Dispatch.

Whether we are "equally sincere and equally affected with the Miseries and Distresses "of our bleeding Country" with the Governor, must be left to others to judge. As we are most of us Natives of the Country, and all of us have our Estates and other more valuable Connections in it, and the Governor is a Stranger among us, it should seem, we think, at least probable, that we may be even *more* deeply affected with its Distresses than he is; but the many Bills our Assemblies have proposed in vain for its Relief, and our earnest Endeavours to give such great Sums to that End, which the Governor has so long refused, will, we think, put that Point beyond Dispute.

Upon the Whole, the House adheres to the Bill; as being in their Judgment a reasonable one, and what they cannot deviate from consistent with the Rights of the People; and since at such a Time as this, Disputes and Contentions between the different Parts of the Government are extremely prejudicial both to the King's Service and the Welfare of the Country, we entreat they may henceforth be laid aside, and that the Governor, by passing this just and equitable Bill, will lay the Foundation of such an Agreement as may conduce to the general Benefit of all concerned, and prevent the Necessity we shall otherwise be under of making an immediate Application and Complaint against him to our Sovereign."

EXTRACTS from the Journals of the HOUSE OF COMMONS, *Vol.* X. *Page* 780, &c.

Martis, 17° *Die Januarii.*

QUARTO *GULIELMI & MARIÆ.*

A Message from the Lords, by Sir *Miles Cooke* and Sir *Robert Legard*;

Mr. SPEAKER,

THE Lords have agreed to the Bill, entituled, *An Act for granting to their Majesties an Aid of* Four Shillings *in the* Pound, *for One Year, for carrying on a vigorous War against* France, with an Amendment: To which they desire the Concurrence of this House. Extracts from the Journals of the House of Commons.

And then the Messengers withdrew.

And the said Amendment being read, is as followeth, *viz.*

"Provided nevertheless, that all and every the Peers who are to be rated, by Virtue "of this Act, for their Offices, or personal Estates, shall be rated by *Thomas* Earl of "*Pembroke*, Lord Privy-Seal, *George* Marquis of *Halifax*, *William* Earl of *Devon*, "Lord Steward of the Household, *Charles* Earl of *Shrewsbury*, *Theophilus* Earl of *Hun-*

"*tingdon*,

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" *tingdon*, *William* Earl of *Bedford*, *John* Earl of *Bridgewater*, *George* Earl of *North-*
" *ampton*, *John* Earl of *Clare*, *Charles* Earl of *Manchester*, *John* Earl of *Mulgrave*,
" *Thomas* Earl of *Rivers*, *Thomas* Earl of *Stamford*, *Philip* Earl of *Chesterfield*, *Thomas*
" Earl of *Thanet*, *Robert* Earl of *Sunderland*, *Charles* Earl of *Macclesfield*, *Daniel* Earl of
" *Nottingham*, *Laurence* Earl of *Rochester*, *Thomas* Earl of *Fauconberg*, *Francis* Viscoun
" *Newport*, *Henry* Viscount *Longueville*, *Henry* Lord Bishop of *London*, *Thomas* Lord
" Bishop of *Lincoln*, *Sidney* Lord *Godolphin*, *John* Lord *Ashburnham*, or any five of them,
" and not otherwise; and shall not be subjected to the Imprisonment of his or their
" Persons; any Thing in this Act contained to the contrary notwithstanding.——Pro-
" vided also, and it is hereby declared, that the several Rates and Taxes to which
" the Lords and Peers of this Realm shall be liable, by Virtue of this Act, shall be re-
" ceived by a Collector to be nominated by the Peers: Which said Collector shall cause
" the same to be paid into his Majesty's Receipt of Exchequer, at *Westminster*, upon
" or before the Twenty-fifth Day of *March*, 1693."

And the Question being put, that the House do agree with the Lords in the said Amendment? *It passed in the Negative.*

Resolved, That a Committee be appointed to prepare Reasons, to be offered on a Conference with the Lords, for disagreeing with their Lordships in the said Amendment: And that the said Committee do immediately withdraw, and prepare the same.

And it is referred to Sir *Edward Seymour*, Mr. *Sollicitor General*, Mr. *Attorney General*, Mr. *Gwynn*, Mr. *Montague*, Sir *John Guise*, Mr. *Finch*, Sir *Jo. Williamson*, Mr. *Harley*, Mr. *Hampden*, Sir *Jo. Lowther*, Sir *Ro. Rich*, Colonel *Titus*, Mr. Vice Chamberlain, Colonel *Churchill*, Sir *Richard Temple*, Mr. *Palmes*, Sir *Thomas Clarges*, Sir *Christopher Musgrove*, Mr. *Smith*, Mr. *Boyle*, Mr. *Herbert*, Lord *Faulkland*, to prepare Reasons to be offered at the said Conference.

And they withdrew accordingly.

And being returned: Sir *Thomas Clarges* reported from the said Committee, that they had prepared Reasons to be offered at the said Conference, which they had directed him to report to the House: And which he read in his Place, and afterwards delivered in at the Clerk's Table; where the same were read, and are as followeth, *viz.*

" That the Right of granting Supplies to the Crown is in the Commons alone, as
" an essential Part of their Constitution: And the Limitation of all such Grants as to the
" Matter, Manner, Measure and Time, is only in them: Which is so well known
" to be fundamentally settled in them, that, to give Reasons for it, has been esteemed
" by our Ancestors, to be a Weakening of that Right. And the Clause sent down by
" your Lordships to be added to this Bill, is a manifest Violation thereof."

And an Amendment being proposed to leave out " *Violation*," and insert, instead thereof, " *Invasion*," the same was, upon the Question put thereupon, agreed unto by the House.

And then the said Reasons so amended were, upon the Question put thereupon, agreed unto by the House.

Resolved, That a Conference be desired with the Lords, upon the Subject Matter of the said Amendments.

Ordered, That Sir *Thomas Clarges* do go to the Lords, and desire the said Conference.

Mercurii, 18° *Die Januarii*.

QUARTO *GULIELMI & MARIÆ*.

Sir *Thomas Clarges* reported, that he having been at the Lords, to desire a Conference with their Lordships, upon the Subject Matter of the Amendments by them sent down to the Bill, entituled, *An Act for granting to their Majesties an Aid of* Four Shillings *in the* Pound *for One Year, for carrying on a vigorous War against* France; the Lords do agree to a Conference this Afternoon at Four o'Clock, in the Painted Chamber.

Ordered, That the Committee appointed to prepare Reasons for the Conference with the Lords, do manage the said Conference.

And the Managers went to the Conference:

And being returned, Sir *Thomas Clarges* reported, that they had attended the Conference; and had given their Reasons for disagreeing with the Lords in the Amendment made by the Lords to the Bill of Aid; and left the Bill and Amendments with their Lordships.

Veneris 20° *Die Januarii*.

QUARTO *GULIELMI & MARIÆ*.

A Message from the Lords, by Sir *John Hoskins* and Sir *Robert Legard*;

Mr. SPEAKER,

" The Lords desire a present Conference with this House, in the Painted Chamber,
" upon the Subject Matter of the last Conference."

And

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And then the Messengers withdrew.

Resolved, That this House doth agree to a present Conference with the Lords, as their Lordships do desire.

And the Messengers were called in again, and acquainted therewith.

Ordered, That the Members that managed the last Conference do manage this Conference.

And the Managers went to the Conference.

And being returned, Mr. Attorney-General reported from the said Conference, that the Managers had attended the same; and that the Lord Privy-Seal managed the Conference on the Behalf of the Lords, and that he acquainted them, that their Lordships did not insist upon their Provisoes."

Another Message to the GOVERNOR from the ASSEMBLY.

May it please the GOVERNOR,

A Message to the Governor from the Assembly.

WE apprehend that our Message of the Fifth Instant, requesting to be informed by what Means the *Delawares* and *Shawanese* had been so alienated in their Affections from this Province, was too slightly answered by the Governor; and we now hope it will not be taken amiss if we enquire more particularly, Whether the Chiefs of the *Shawanese* did not, in 1753, complain to this Government, that Satisfaction had not been made to them by the Proprietaries for a large Tract of Land, Part of which was surveyed into the Proprietary Manor, on *Conedoguinet*; and whether they were not then promised, that Application should be immediately made to the Proprietaries in their Behalf to obtain the Satisfaction they desired? We hope, if so, that the Application has been accordingly made, and the Satisfaction obtained and given. But we desire, if the Governor pleases, to be informed of the Particulars."

And the foregoing Messages being signed by the Speaker, by Order of the House,

Ordered, That *Joseph Stretch* and *Samuel Brown* wait upon the Governor, and deliver the same, together with the Bill for granting *Sixty Thousand Pounds* to the King's Use, and acquaint him, that the House desire he would be pleased to let them know his Result upon the said Bill as soon as possible; and further, that they enquire if the Governor has yet come to any Result upon the Bill for regulating the *Indian* Trade.

The House being informed, that *Adam Hoops* and *John Potter*, of the County of *Cumberland*, were attending, they were called in, and having answered such Questions as were put to them, and acquainted the House with sundry Particulars relating to the Ravages of the *Indians* in the said County, they withdrew.

The Governor's Message of this Morning was again read, and considered, and after some Time spent therein, was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment

November 19.

The Gentlemen appointed to wait upon the Governor with the two Messages of the House, and the Bill for granting *Sixty Thousand Pounds* to the King's Use, reported, that they had delivered the same according to Order; and that the Governor was pleased to say, that he had been much hurried of late, which had prevented his coming to any Conclusion upon the Bill for regulating the *Indian* Trade; however, if the House sat any Time, he believed he should acquaint them with his Determination thereupon.

An Account from *Henry Kepple*, amounting to *Five Pounds Fourteen Shillings* and *Six-pence* for Goods furnished *Scarroyady's* Son, *per* Order of *Conrad Weiser*, was laid before the House and read, and referred to the Committee of Accounts.

An Account from *David Magaw*, and another from *James Rankin*, for Service done on the *Ohio* Road, were also laid before the House and read, and referred to the Committee of Accounts.

By the Leave of the House, *Benjamin Franklin*, a Member of this House, brought in a Bill, entituled, *An Act for the better ordering and regulating the Military Force of this Province*, which was read the first time, and ordered to lie on the Table for the Perusal of the Members.

The Governor's Message of Yesterday was again read, and considered; and after some Time spent therein,

Ordered, That *Richard Pearn*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Ashbridge*, *James Webb*, *David M'Connaughy*, *Joseph Armstrong* and *William Edmonds* be a Committee to prepare a Draught of an Answer to the same.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment

Post Meridiem

The Committee appointed to prepare a Draught of a Message to the Governor, reported the same to the House, which was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

And the said Message being accordingly transcribed, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

A Message to the Governor from the Assembly.

OUR Treasury is quite exhausted by the heavy Expences lately incurred, and we know of no Way of raising Money so expeditious as that proposed by the Bill now

1755. *November* 19. now before the Governor. It is true, the Money intended to be ſtruck, may not be current before the Thirty-firſt of *December*; but as that is not more than ſix Weeks, there is no Doubt but that Labour, Service, and any Thing elſe that Money can purchaſe among us, may be had on Credit for ſo ſhort a Time, if the Bill paſſes; and in Conſideration of the Neceſſity of "affording timely Aſſiſtance to the diſtreſſed Inhabi-"tants in the Back Counties," we ſincerely hope, and once more earneſtly entreat, that the Governor will no longer refuſe or delay his Aſſent to it.

The other Part of the Governor's Meſſage we have now under our ſerious Conſideration, and as ſoon as we come to any Reſolution thereon, ſhall immediately communicate the ſame to the Governor."

And the ſame being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Griffith Owen* and *William Edmonds* wait upon the Governor, and deliver the ſame.

Reſolved, That the Flour and Cattle, now in *Cumberland* County, belonging to the Public, be appropriated for the Uſe and Relief of thoſe Inhabitants who are driven from their Habitations by the Enemy; and that *Joſeph Armſtrong* and *John Smith*, of the ſaid County, have Power to diſtribute the ſame as they ſhall judge moſt proper.

Reſolved, That *Francis Parvin* and *Conrad Weiſer*, Eſquires, of the County of *Berks*, have Power to furniſh thoſe Inhabitants of ſaid County who are driven from their Habitations by the Enemy, with ſuch neceſſary Proviſions for their Subſiſtence, as they, the ſaid *Parvin* and *Weiſer*, ſhall think proper; and this Houſe will allow ſuch reaſonable Charges as ſhall attend the ſame.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 20. Sundry Letters and Papers from the Agents in *Great-Britain*, to the Committee of Correſpondence, were laid before the Houſe and read, and ordered to lie on the Table for the Peruſal of the Members.

Upon Motion made,

Reſolved, That the Bill for the better ordering and regulating the Military Force of this Province be read the ſecond time in the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Bill for the better ordering and regulating the Military Force of this Province was again read, and conſidered; and, after conſiderable Time ſpent therein, the ſame was committed to *John Hughes*, *Benjamin Franklin*, *Griffith Owen*, *David M'Connaughy*, *Joſeph Armſtrong* and *William Edmonds*, for Alteration and Amendment.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 21. The Bill for the better ordering and regulating the Military Force of this Province, being amended by the Committee to whom it was referred, and an Alteration made in the Title, was again read, and conſidered; and, after ſome Time ſpent therein, was ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. An Account from *John Potter*, Sheriff of the County of *Cumberland*, for his Trouble and Expences in apprehending three Men ſuſpected of carrying on a Correſpondence with the *French*, and for carrying the ſaid Men up to General *Braddock*, and from thence back to *Carliſle* Goal, with the Coſt of a Guard to attend them, by the Governor's Order, amounting to *Twenty-two Pounds Seventeen Shillings* and *Six-pence*, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Bill, entituled, *An Act for the better ordering and regulating ſuch as are willing and deſirous to be united for Military Purpoſes within this Province*, being tranſcribed, was read the third time;

Reſolved, That the Bill do paſs.

James Pemberton, *Joſhua Morris*, } Diſſentientes.
Joſeph Trotter, *Peter Worral*, }

Ordered, That *David M'Connaughy* and *Joſeph Armſtrong* do carry up the ſaid Bill to the Governor for his Concurrence; and acquaint him that the Houſe deſire to know if he has come to any Reſult upon the Bills already before him.

The Houſe being informed, that *Patrick Burns* and *George Hutchinſon*, two Perſons who were lately taken by the *Indians*, and made their Eſcape, were now in Town, and in diſtreſſed Circumſtances;

Reſolved, That the Sum of *Ten Pounds* be given to each of the ſaid Perſons, to furniſh them with Neceſſaries, and enable them to return to *Cumberland* County, the Place of their Reſidence.

And Orders were accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Gentlemen return, and report, that they had delivered the Militia Bill, and the Meſſage of the Houſe, according to Order; and that the Governor was pleaſed to ſay that

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that he had not come to any Result upon the Bill for regulating the *Indian* Trade; and as to the Bill for granting *Sixty Thousand Pounds* to the King's Use, the House should hear from him concerning it To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment

November 22.

The Governor, by the Secretary, sent down to the House a Message in Writing, relating to the Bill for granting *Sixty Thousand Pounds* to the King's Use, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I AM no less astonished than grieved to find, by your Message of the Eighteenth Instant, that although I have even ventured to exceed what I judge to be the Powers of my Commission, in order, if possible, to accommodate our unhappy Differences, and afford the necessary Succour to our bleeding Country, yet still you adhere to your Bill and refuse to agree to the reasonable Proposal I made of submitting to his Majesty the present Dispute between us, relating to the Proprietary Tax. My Astonishment is still increased to find, that your best Argument for such an obstinate Refusal, is founded on a new and lofty Claim of Privilege, never heard of in this Province, till towards the Close of Mr. *Hamilton's* Administration, and the Beginning of the late *French* Encroachments upon this Province. At that Time, the Assembly being pressed on the Subject of Defence, first introduced, and have since occasionally continued this Claim of having their Money Bills passed as tendered, without any Amendments. And this appears to be done with a double View, *to wit*, either wholly to avoid giving Money for Warlike Purposes, or, by Means of the Country's Distress, to arrogate Powers which Assemblies here never were, and, from the Nature of our Constitution, never ought to be in Possession of.

'In my Message of the Twenty-fourth of *September*, I insisted that this Claim was neither warranted by Charter, nor yet by Usage; and it appears from the Minutes of Council (some Extracts of which I have sent you) that the Governor's Right of amending Money Bills was never questioned by your Predecessors in Assembly: And yet, Gentlemen, they were Men whose Probity and Fortune were at least equal to yours; and many of them were singularly remarkable for their superior Knowledge of the Constitution of their Country, as well as an inviolable Attachment to its true Interests.

'I have given this Matter the Precedence, though it is in the last Part of your Message, that it may appear on how slight a Claim you have founded your Refusal to pass a Bill so very important at this Juncture. Your other Arguments relate chiefly to the Form of the proposed Amendments, to which I shall reply but briefly, as you seem determined against all Amendments that come from me, however reasonable and necessary they may otherwise be.

'You say, *There is no Necessity in the Method proposed, that the Crown should assent to some Part of the Act, and reject others.* It is not my Business to determine what the Crown may account necessary in any of its Actions; but this I know, that it is the established Mode either to approve or reject the Whole of any Law: And I presume every Legislative Body in these Colonies expect to have their Acts wholly rejected or wholly approved. You ought, therefore, previous to your risking the Rejection of so important an Act, on account of the Proprietary Exemption, to shew more than a bare Probability, that the Crown will adopt this unprecedented Method, by which a whole Law may be first approved, then a Part of it suspended from taking Effect, and yet the Whole is to remain all the while complete, and in Force. And all this, you say, by a very nice Distinction, is to be done by Means of some wondrous *Virtue of the Law itself, and in Execution of the Law, and yet that it is to cost two distinct Acts of the Crown to do it.*

'But was I to enquire into the Reasons of this indirect and perplexed Method, scarce any other, it should seem to me, can be assigned, but that it is your sovereign Pleasure to have it so, unless you are diffident of the Justice of your Cause, and dare not trust it on its own Bottom, perhaps vainly imagining, that if both the Taxes are blended together, you have a better Chance of being gratified in your ambitious View of getting your Chief Governor and his Estate subjected to your Mercy, than if the Bills are separated; in which Case you probably fear, that the Merits of the Cause alone, might determine it against you.

'For my Part, I have such an implicit Confidence in the Royal Justice, that I am certain, if the Proprietary Claim to an Exemption be just in itself, the present, or any other Law, by which they are taxed, would be rejected in the common Method, although the Crown should be thereby, for a Time, deprived of the greatest Sums: Wherefore, as I foresaw the manifest Inconveniencies that might ensue, from a total Rejection of the present Law, I proposed a Separation of the two Parts of the Bill, by which Method the present Exigences of the Province would be supplied, whatever might be the Royal Determination with regard to the Proprietary Exemption.

'But

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'But you tell me, in the next Place, that my Propoſal alſo implies a Contradiction, 'namely, *to paſs one Bill declaring poſitively that the Proprietary Eſtate ſhall not be taxed, 'and another expreſsly to tax it*;—and the good natured Conſtruction you put upon this, 'is, that I thereby aimed to ſecure an infallible Exemption of the Proprietaries from 'Taxation, *by leading you into an Abſurdity in the Mode of taxing them.* This I ſhall leave 'among the reſt of your groundleſs Charges againſt me, and obſerve that the Bill, as 'amended by me, only excepts the Proprietary Eſtate in the Taxes to be laid by that 'Bill, but no where, that I can find, declares either poſitively or otherwiſe, that it ſhall 'not be taxed by another Bill; ſo that the Abſurdity you mention does not appear to me. 'However, if what you are pleaſed to call the diametrical Contradiction of the two pro-'poſed Bills be really any Objection with you, I ſhall very readily agree to *one* Amend-'ment more, which will perfectly reconcile them, by the Addition of a very few Words 'to the Exemption Clauſe in the firſt Bill, as follows:—[The Eſtates of the Honourable '*Thomas Penn* and *Richard Penn*, Eſquires, excepted, which ſhall be taxed in the Man-'ner directed by a particular Law paſſed (or to be paſſed) for that Purpoſe.] Thus both 'Bills will declare poſitively, that the Proprietaries are to be taxed, if his Majeſty ſhall 'ſo think fit.

'Your Extracts from the Votes of the Houſe of Commons prove nothing to the Pur-'poſe for which you quote them; they only ſhew, what nobody denies, that, by the 'Conſtitution of *England*, the Commons have long claimed the Privilege of having their 'Supply-Bills paſſed or rejected without Amendments; but are by no Means applicable 'to the Circumſtances of this Province.

'The Conſtitution of *England* is of long Standing, founded upon ancient Uſage, and 'ripened by Time and the Wiſdom of Ages to its preſent Perfection. There the King, 'Lords and Commons make up the ſupreme Power, to each of which the Conſtitution 'has aſſigned particular and peculiar Prerogatives, Rights and Privileges, in order to keep 'up a proper Balance, and make them (what, for the Benefit of the Nation, they ought 'to be) a Check upon each other.

'The Conſtitution of this Province is founded upon certain Royal and Proprietary 'Charters, being ſubordinate, and no way ſimilar to that of *England*, nor compoſed of 'the like conſtituent Parts. Here the whole Power is lodged in the Governor and As-'ſembly, who have all along exerciſed equal Legiſlative Powers, each of them having 'a Right to propoſe Laws, and to amend what is propoſed by the other.

'Till, therefore, you can ſhew that the Conſtitution of this Province is ſimilar to that 'of *England*, compoſed of the like Parts, and that each of them have the like or ſimilar 'Powers and Privileges, you can found no Claim upon the Uſage of Parliament, for 'having your Money-Bills paſſed without the Governor's Amendments; and therefore 'your Extracts from the Votes of the Houſe of Commons were a very needleſs Addition 'to your Meſſage.

'You mention *Twenty Amendments offered by me to the Bill of laſt Aſſembly, and that 'you being a new Body* [compoſed almoſt wholly of the ſame Members] *admitted every 'one of them that was of any Conſequence into the preſent Bill, excepting that of exempting 'the Proprietary Eſtate*. But this one Amendment was of ſo material Conſequence, that 'your Refuſal to admit of it made the Propoſal of a ſeparate Bill a neceſſary Expedient, 'and obliged me to make other Amendments; ſo that you had no Reaſon for burſting 'out into ſuch a lofty Strain of Rhetoric, telling me, that now *I am for amending my 'own Amendments, altering my own Alterations, and adding to my own Additions*; for had 'you agreed to my firſt Amendments, Alterations and Additions, any future ones would 'have been needleſs.

'You ſpeak of many Bills propoſed in vain by you, for the Relief of your diſtreſſed 'Country. 'Tis true, you have in all propoſed to me five Money-Bills; three of them 'rejected, becauſe contrary to Royal Inſtructions. The other two were rejected on ac-'count of the unjuſt Method propoſed for taxing the Proprietary Eſtate. If you are 'diſpoſed to relieve your Country, you have many other Ways of granting Money, to 'which I ſhall have no Objection.

'In this, as well as in ſome other Meſſages, you affect to treat me as a Stranger, and 'tell me, that it is at leaſt probable you are more deeply concerned for the Diſtreſſes of 'this Country than I am, becauſe moſt of you are Natives of it, and have your Eſtates 'in it. I am ſurprized, Gentlemen, that you do not bluſh to have Recourſe to ſuch 'weak and fallacious Reaſoning. Although I was not born within the Limits of this 'Province, I was born in its Neighbourhood. Nay, the Chief Part of my Eſtate lies 'much nearer to this City than the Eſtates of ſome of you who ſit in Aſſembly; and 'when your Eſtates are in Danger, I can by no Means think mine ſafe. And here I 'would obſerve, that if the Conſideration of being bred up among you, and poſſeſſing 'large Property in the Province, could have ſecured your good Treatment of any Go-'vernor, my immediate Predeceſſor had the faireſt Claim to ſuch Treatment, and would 'have been exempted from thoſe manifold Abuſes, which it has been his Lot, as well

'as

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'as mine, to receive at your Hands.—But I conceive, Gentlemen, that our Actions, not 'the Place of our Eſtates or Nativity, are the beſt Teſt of our Affection for this Country. 'You will ſuffer me, therefore, briefly to review your Conduct and mine, and leave them 'both to ſpeak for themſelves.

'And here, was I inclined to go beyond my own Times, I might begin with remind- 'ing you how contemptuouſly you treated the Proprietary Offer of *Four Hundred Pounds*, 'for erecting a Place of Strength on the *Ohio*, together with an Offer of *One Hundred* '*Pounds per Annum* towards its Support; which Offers were made at a Time, when your 'Concurrence would probably have prevented many of the Calamities we now groan 'under.

'I might alſo obſerve, that when Mr. *Hamilton* firſt called upon you, purſuant to his 'Majeſty's Orders, to grant ſuch Supplies as would enable him to draw forth the Strength 'of the Province, and to repel Force by Force, you would not admit that the *French* 'Encroachments and Fortifications on the *Ohio* were within our Limits, or his Majeſty's 'Dominions; thereby ſeeking an Excuſe to avoid doing what was required of you. And 'when, after the Loſs of much Time, you thought fit to drop this Diſpute, you then 'entered upon a freſh one, concerning the Legality of Royal Inſtructions, in order ſtill 'to gain more Time, and avoid doing what you judged inconſiſtent with your Principles; 'nevertheleſs, it is clear, that if you had complied with Mr. *Hamilton's* Requeſt, and 'given ſeaſonably what Money the Exciſe could raiſe in the Term he propoſed, the '*French* might have been prevented from ſtrengthening themſelves in their preſent un- 'warrantable Encroachments.

'On my Acceſſion to the Government you began on the ſame Plan of Diſpute and 'Delay; but as I am informed that there was a full and ſtrong Repreſentation, both of 'your Conduct and mine, ſo far as related to the Diſputes, in the Beginning of my Ad- 'miniſtration, laid before his Majeſty in a Report of the Lords Commiſſioners of Trade, 'upon your Addreſs concerning Inſtructions, I ſhall go no farther back than *December* 'laſt.

'On the Nineteenth of that Month I communicated to you a Letter from Sir *Thomas* '*Robinſon*, notifying his Majeſty's Intentions of employing four Regiments for the De- 'fence and Security of theſe Colonies, to be raiſed and augmented in *America*, and re- 'quiring a Sum of Money towards a general Fund, and to have Three Thouſand Men 'in Readineſs, with a proper Quantity of Proviſions, *&c.* the Whole to be under the 'Direction of a General Officer of Character, who was to be ſent as Commander in Chief 'of all his Majeſty's Forces in theſe Parts; but you did not think fit to raiſe a ſingle 'Man, or give One Farthing of Money in Compliance with this Requeſt. I did alſo at 'the ſame Time recommend it to you, to prepare a Law for regulating the Wages to be 'paid for ſuch Tradeſmen, Horſes and Carriages, as it might be neceſſary to impreſs into 'his Majeſty's Service. To this you replied, *That you could not preſume the Military Of-* '*ficers would, or ought to have, any Power of impreſſing Tradeſmen within this Province,* '*and that the other Parts of my Meſſage might remain under Conſideration, without any con-* '*ſiderable Inconvenience.*

'As ſoon as the late General arrived, I again recommended it to you, to make an imme- 'diate Proviſion for raiſing the Men, and ſupplying the Money, and other Neceſſaries 'expected from this Province; and did, throughout the whole Summer, from Time to 'Time, preſs you to grant your Aid and Aſſiſtance to the Expedition then on Foot; but 'you had one general Anſwer for all, namely, That if ſome Bill, which you had always 'ready to offer, for ſtriking a Sum of Money for the King's Uſe, ſhould once be paſſed, 'it would anſwer all the Purpoſes required of you; and yet every one of thoſe Bills were 'all the while liable to one and the ſame Objection, on the Footing of the Royal In- 'ſtructions. And beſides this, you never took the leaſt Notice of the Demand for a Sup- 'ply of Men, which from this populous Province was at leaſt as material an Article as 'Money.

'At laſt, upon the Defeat of his Majeſty's Forces, for Want of that timely Support 'and Aſſiſtance, which it was in the Power of this Province to have afforded, I laid be- 'fore you, in the ſtrongeſt Terms, the Dangers to which this Country ſtood expoſed, 'and called upon you to put it into a Poſture of Defence, that the People might be ſe- 'cured againſt the Invaſions, naturally to be expected in Conſequence of that Defeat; 'but all this was to no Purpoſe.—However, having been informed of the Report of the 'Lords of Trade againſt your Addreſs, and that your Conduct was generally condemned 'in *England*, you thought fit to drop the old Diſpute concerning Inſtructions, and to 'ſtart a new one about taxing the Proprietary Eſtate, which you very well knew I had 'no Power by my Commiſſion to do: Beſides, as the Proprietaries were abſent, and this 'your extraordinary Claim related to a Matter of Property, and was contrary to a Law 'in Force, you could not imagine that it would be eaſily given up, or ſpeedily determined, 'and therefore you could propoſe nothing by it, but, as uſual, to evade the Point of 'raiſing an armed Force, and granting the neceſſary Supplies. And now, when in

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'Conſideration of the Diſtreſſes of this unhappy Country, I have conſented even to exceed the Powers of my Commiſſion, in order to lay that Diſpute before his Majeſty, by a ſeparate Bill for that particular Purpoſe, you ſtart a new Claim, unknown to former Aſſemblies, of having your Bills, giving Money, paſſed without Amendments; and upon no better Foundation than this imaginary Privilege, you refuſe the neceſſary Aſſiſtance to your bleeding Country.—But, Gentlemen, I muſt tell you, that I cannot conſiſtent with my Duty, or the Truſt repoſed in me, recede from my Amendments to that your Bill. And here give me Leave to expreſs my Satisfaction at your intended Complaint againſt me, and to aſſure you, that nothing gives me greater Pleaſure, than the Hopes of having my Conduct and yours laid before the Crown, where I hope they will both undergo the ſtricteſt Examination; and as I expect no Favour from you, ſo I am not afraid of the utmoſt Efforts of your Malice, being conſcious to myſelf, that I have done nothing to the Prejudice of the People committed to my Care, or neglected any Thing in my Power that could tend to their Security or laſting Happineſs.

'Upon the Whole, it appears clear to me, that you never intended that any of your Bills ſhould paſs for raiſing Money to defend the Province; and this ſeems now to be placed beyond all Diſpute, ſince thoſe People, under whoſe Influence you are chiefly known to be, are ſaid to have declared publicly to you, that they would ſooner ſuffer than pay towards ſuch Purpoſes.

'However, I ſhall put one Proof more, both of your Sincerity and mine, in our Profeſſions of Regard for the Public, by offering to agree to any Bill, in the preſent Exigency, which it is conſiſtent with my Duty to paſs, leſt before our preſent Diſputes can be brought to an Iſſue, we ſhould neither have a Privilege to diſpute about, nor a Country to diſpute in.

Philadelphia, November 22, 1755. *ROBERT HUNTER MORRIS.*"

EXTRACTS from the Minutes of Council, *commencing from the Proprietary* WILLIAM PENN, *Eſq; his leaving the Province in* 1701.

Extracts from the Minutes of Council. 1701.

ON the old Proprietary's Departure from the Province in 1701, *Andrew Hamilton*, Eſq; was appointed Lieutenant-Governor; but by reaſon of the unſettled State of the Province, and the Aſſemblies differing with him, chiefly on account of his preſſing them to make a Militia Law, and to provide for the Defence of the Province, no Laws paſſed in his Time; and he dying in *March*, 1703, the Council acted till Governor *Evans's* Appointment to the Government in *February*, 1703-4.

In Governor EVANS's Time.

1705. *December* 27.

A BILL for granting a Supply for Support of Government, read in Council, and agreed to with ſome Amendment.

January 12.

An Amendment inſiſted on by the Governor to the Bill, entituled, *An Act for raiſing a Supply of* Two-pence Halfpenny per Pound, *and* Ten Shillings per *Head, viz.* That the Aſſembly ſhould not have Power to diſpoſe of any Part of the Money to be raiſed by that Act, without the Governor's Concurrence; and it was agreed by the Houſe [all then preſent, with their Speaker *David Lloyd*] "That the Aſſembly ſhould have no "Power to diſpoſe of any of the ſaid Money, but for Diſcharge of Debts then incum-"bent on the Province, and for the neceſſary Charges of their own Houſe, and that in "all other Caſes the Governor's Concurrence with the Aſſembly ſhould be required." And the ſaid Supply Bill was accordingly paſſed with the ſaid Amendment.

Note, Governor *Evans*, ſoon after the paſſing this Law, likewiſe differing with his Aſſemblies on the diſagreeable Subject of Defence, few or no Laws were paſſed in the Remainder of his Time; and he growing extremely obnoxious to the Aſſembly, they got him ſuperſeded, and he was ſucceeded by Colonel *Gookin*.

In Governor GOOKIN's Time.

1709. *July* 29.

IN a Meſſage from the Aſſembly to the Governor, preſſing him to paſs twelve Bills which had been ſent up to him for his Concurrence by that and former Aſſemblies, amongſt which were ſome Bills for raiſing Monies by County Levies, Duties, *&c.* are theſe Words, *viz.* ——— "Whereunto we earneſtly deſire thy Concurrence, with "what other reaſonable Bills may be prepared by this Aſſembly; or otherwiſe be pleaſed "to let us know thy Objections to thoſe Bills, and we ſhall readily agree to any rea-"ſonable Propoſals of Amendments to them."——

Auguſt 16.

In a Meſſage from the Governor to the Houſe, on his ſending back the ſaid Bills to be new drawn by them, with ſome Amendments, is this Clauſe:

"The Governor is very deſirous that a Bill of Fees, diſtinct from that of Courts, "may be immediately proceeded upon by a Committee, as he before propoſed; for he "is of Opinion, with the Council, that it will be the ſafeſt Method to bring each diſ-"tinct Matter into a ſeparate Act, that in caſe one be rejected at Home, the reſt may "not fall with it."

And

And accordingly a diſtinct Bill of Fees was prepared and paſſed. 1755.

Amendments propoſed by the Governor and Council to the Bill for raiſing Monies by licenſing Taverns, allowed by the Aſſembly. 1710-11. *February* 3.

Amendments propoſed by the Governor and Council to the following Bills, *viz.* *An Act for raiſing a Supply of* Two-pence per Pound, *and* Eight Shillings per *Head*; *An Act for licenſing Taverns*; *An Act for laying a Duty on* Negroes, *Wine*, *Rum*, &c. called the Impoſt Act; and *An Act for compelling the Payment of all former Taxes*; allowed by the Houſe, and paſſed therewith. 16, 17 & 18.

Amendments propoſed by the Governor and Council to the Bill, entituled, *An Act for raiſing of* Two Thouſand Pounds *to the Queen's Uſe* [for the *Canada* Expedition] *by a Tax of* Five-pence Halfpenny per Pound, *and* Twenty Shillings per *Head*; one of which Amendments was, that the Monies ſhould be paid by the Treaſurer as the Governor ſhould direct and appoint. 1711. *July* 20.

And the ſaid Act paſſed with the Governor's Amendments.

Amendments propoſed by the Governor and Council to the Bill, entituled, *An Act for raiſing Money on the Inhabitants of the City of* Philadelphia, *for the Public Uſe and Benefit thereof:* Which paſſed the Seventh of *June* after, with ſeveral other amended Bills for raiſing Monies by Duties, *&c.* 1712. *May* 27.

Impoſt Bill amended by the Governor. 1714-15. *March* 23.

A Bill for laying a Duty on Wine, Rum, *&c.* a Bill for raiſing a Supply of *One Penny per* Pound, and *One Shilling per* Head; and a Bill for laying a Duty on *Negroes* imported; all amended by the Governor, allowed by the Houſe, and paſſed. 1715. *May* 26.

In Governor KEITH's Time.

AMENDMENTS propoſed by the Governor and Council to ſeveral Bills, *viz.* *An Act for laying a Duty on ſundry Liquors retailed*; *An Act for laying a Duty on Wine, Rum*, &c. *and Hops and Flax imported*; *An Act for continuing a Duty on* Negroes; and *An Act for raiſing a Duty on Tonnage of Ships.* 1717. *February* 21.

N. B. In a Meſſage from the Aſſembly to the Governor relating to theſe Bills before they paſſed, is this Expreſſion—— "That they expected the Governor to ſend for them, "in order to paſs ſuch *Bills as had already* been ſubjected to the Governor's Amendments, "and were finiſhed by the Houſe."

Amendments by Governor and Council to two Bills, *viz.* *An Act for laying a Duty on Wine, Rum*, &c. and *An Act for laying a Duty on* Negroes, &c. and both paſſed ſo amended. 1721. *January* 19.

Amendments propoſed by the Governor and Council to *An Act for impoſing a Duty on Convicts*, &c. 1722. *May* 3.

And to the ſupplementary Act for raiſing County Levies. *May* 9.

In Governor GORDON's Time.

AN *Act laying a Duty on Foreigners, and* Iriſh *Servants.* Alſo *An Act for emitting* Thirty Thouſand Pounds, both paſſed with the Governor's Amendments. 1729. *May* 10.

The Aſſembly agrees to the Governor's Amendments to the Re-emitting Bill, and for ſtriking *Forty Thouſand Pounds.* 1730-31. *February* 4.

Clauſe in a Speech or Anſwer of the Governor's, to a Meſſage from the Aſſembly, on a propoſed Amendment of the Governor's to a Bill for Payment of Aſſemblymen's Wages, and providing a Fund for it. 1731. *January* 20.

"The Governor anſwered, that as he conceived *he had an undoubted Right to offer* "*Amendments, and make Propoſitions on any Bill that ſhould come before him, he had done* "*ſo in the preſent Caſe.*"

Exciſe Bill paſſed with the Governor's Amendments. One of which was an Alteration from *Six-pence per* Gallon to *Four-pence*; and another was to reduce the Time of the Continuance of the Act from five to three Years. 1733. *January* 19.

In Governor THOMAS's Time.

A MONEY Bill, *viz.* *An Act for re-printing and re-emitting the Bills of Credit, and for ſtriking* Eleven Thouſand Pounds, paſſed with ſeveral Amendments of the Governor's. 1739. *May* 18.

In a Diſpute between the Governor and Aſſembly (Mr. *Kinſey* then Speaker) on the Bill for raiſing Money on the Inhabitants of the City, are theſe Expreſſions of the Aſſembly,—— "If the Bill abridges the Corporation in their Privileges, or be deficient "in the Powers of the Commiſſioners and Aſſeſſors, it may be amended by the Gover- "nor, and to which they would chearfully agree."——And further, "And the Go- "vernor's Power of inſiſting on any Amendment propoſed by himſelf, where he ſhall "think it juſt, is what we never contended againſt." 1740. *May.*

Governor's Amendment of Exciſe Bill, agreed to by the Houſe, and paſſed ſo amended. 1744. *May* 26.

Money

1755. * Money Bill, *viz. An Act for re-emitting and continuing the Loan of the Bills of Credit*, &c. paſſed with Governor's Amendments.

* 1745. *March* 3. † 1746. *June* 24. † *Act for raiſing* Five Thouſand Pounds *for his Majeſty's Uſe*, paſſed with the Governor's Amendments."

The Secretary likewiſe brought down the Bill for the better ordering and regulating ſuch as are willing and deſirous to be united for Military Purpoſes within this Province, which he acquainted the Houſe the Governor was ready to paſs into a Law whenever the Houſe ſhould think proper to preſent it to him for that Purpoſe.

The following written Meſſage from the Governor was alſo brought down with the ſaid Bill, and read, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I HAVE conſidered your Bill *for the better ordering and regulating ſuch as are willing and deſirous to be united for Military Purpoſes within this Province*, and though there are many Things in it of a very extraordinary Nature, and I am convinced that it will never anſwer the Purpoſe of defending this Province, even if it could be carried into Execution in any reaſonable Time, which I am afraid it cannot; yet to ſhew you that I am deſirous of doing any Thing that has even a Chance of contributing to the Safety of the People and Province, I ſhall conſent to your Bill in the Shape you have ſent it, as it would be entering into new Diſputes, ſhould I amend it properly.

Philadelphia, November 22, 1755. *ROBERT HUNTER MORRIS.*"

Ordered, That the Bill for the better ordering and regulating ſuch as are willing and deſirous to be united for Military Purpoſes within this Province be ingroſſed.

Ordered, That *Jonathan Ingham* and *Joſeph James* wait upon the Governor, and acquaint him, that the Houſe have conſidered the Governor's Meſſage of this Day, relateing to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, and adhere to the ſaid Bill; and they therefore deſire, if the Governor inſiſts upon his propoſed Amendments, that he would be pleaſed to return the ſaid Bill to the Houſe.

The Meſſage from the Governor of this Morning, relating to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, being again read, and conſidered; and it appearing to the Houſe to be little elſe than a Collection of the Governor's former groundleſs Charges and inveterate Calumnies againſt the Aſſemblies and People of this Province, which have from Time to Time been fully refuted;

Ordered, That *Richard Pearn*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Peter Dicks*, *James Webb*, *David M'Connaughy*, *Joſeph Armſtrong* and *William Edmonds* be a Committee to conſider the ſaid Meſſage, and report whether they think it neceſſary for this Houſe to make any Anſwer thereto.

Reſolved, That the Sum of *Five Pounds* be given to *Rachel Lininger*, in Conſideration of her preſent diſtreſſed Circumſtances, occaſioned by her Huſband being lately killed on the Frontiers of this Province by the Enemy *Indians*.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he ſhould not recede from his propoſed Amendments to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, and that when he had taken ſome Copies of the ſaid Bill, it ſhould be returned to the Houſe.

The Committee of Accounts reported, that they had examined the Account of *John Potter*, Sheriff of *Cumberland* County, and were of Opinion, that the ſame ought to be allowed and paid by this Houſe.——To which Report the Houſe agreed;

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

November 24. The Houſe met, according to their Adjournment.

Poſt Meridiem The Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, to which the Governor had refuſed his Aſſent, was brought to the Houſe by the Clerk, who informed the Houſe, that he had received it from the Secretary, for that Purpoſe.

The Governor, by the Secretary, ſent down to the Houſe Three Meſſages in Writeing, and the Report of a Committee of the Governor's Council concerning the Claim of the *Shawaneſe Indians* to the Lands about *Conedoguinet*, which were read, and are as follow, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'HAD you been as explicit in your firſt Meſſage as you was in your laſt, about the *Shawaneſe Indians*, I ſhould have been ſooner able to have given you a full Anſwer as to your Enquiries upon that Subject.

The

1755. November 24.

'The Government of this Province has ever been remarkable for its just and favourable Treatment of the *Indians*; and so far have the Proprietaries been from depriving them of their Lands, without paying for them, that they have purchased the most of them more than once; and the *Indians* on their Parts have upon all Occasions acknowledged this Justice, and in Return made warm Professions of their Friendship and Affection to the Proprietaries and People of this Province; and I never heard either of the particular Complaint you mention in your Message of the Eighth Instant, or of any Complaint of the Kind.——However, as it was before my Administration, I referred the Matter to the Consideration of a Committee of the Council, who have carefully examined the several Treaties and Transactions with those *Indians*, and have made a full Report as to the Matters you enquire about, which I send you with this; and from which it seems clear to me, that no such Complaint or Promise was ever made.

Philadelphia, November 22, 1755. *ROBERT HUNTER MORRIS.*"

To the Honourable ROBERT HUNTER MORRIS, *Esq; Lieutenant-Governor and Commander in Chief of the Province of* Pennsylvania, *and Counties of* New-Castle, Kent *and* Sussex, *upon* Delaware.

May it please the GOVERNOR,

Council's Report.

YOUR Honour and the Council having taken into Consideration the Message from the Assembly of the Fifth Instant, wherein they "request you would be pleased to "inform them, whether you know of any Disgust or Injury the *Delawares* or *Shawa-*"*nese* have ever received from this Province, and by what Means their Affections can "be so alienated as to take up the Hatchet against us:" And also their other Message of the Eighteenth Instant on the same Subject, wherein they "enquire particularly, "whether the Chiefs of the *Shawanese* did not, in 1753, complain to this Government, "that Satisfaction had not been made to them by the Proprietaries for a large Tract of "Land, Part of which was surveyed into the Proprietary Manor on *Conedoguinet*, and "whether they were not then promised that Application should be immediately made "to the Proprietaries, in their Behalf, to obtain the Satisfaction they desired; and "whether such Application has been made, and the Satisfaction obtained and given." And it being, by Order of Council of the Nineteenth Day of *November* instant, referred to us, as a Committee of the said Council, to examine all proper Persons, and to inspect the Council Books, *Indian* Treaties, and other Books and Papers that could furnish us with any Lights into the Subject Matter of the said Messages, and to make our Report thereon; We now report, that we have perused the printed Treaty held by *Richard Peters*, *Isaac Norris* and *Benjamin Franklin*, Esquires, by special Commission from this Government, with the said *Delaware* and *Shawanese Indians*, &c. at *Carlisle*, in *October*, 1753, which we suppose was the Time and Place alluded to by the Assembly in their said second Message, of the said *Indians* making such Complaint of their not having received Satisfaction for the said large Tract of Land, expecting to see some Notice taken therein of such Complaint; but not finding in it any Mention made thereof, we applied to the said Mr. *Peters*, to know whether he remembered any such Complaint to have been made by the said *Indians* at *Carlisle*, or elsewhere, or of any Promise to make an Application for them to the Proprietaries for such Satisfaction; to which he answered, that he did not remember ever to have heard at *Carlisle*, or elsewhere, of any such Complaint being made by the said *Indians*, or any of them, or that any Promise was ever given of making Application on their Behalf to the Proprietaries for such Satisfaction; and that he never understood that the *Shawanese* had or could have any Right to the said Land, or any other Land in this Province.

That in order to find what Right the said *Indians* had or claimed to the said large Tract of Land, and whether there was any just Foundation for such a Complaint, we have inspected all the Minutes of Council, and other Books and Papers that we conceived could assist us in the said Enquiry, and find, that the Nation of *Indians*, called the *Shawanese*, are *Southern Indians*, who, being rendered uneasy by their Neighbours, came up to *Conestogoe* about the Year 1698, making about Sixty Families, and desired Leave of the *Susquehanna Indians*, who then lived there, to settle on that River. — That these *Susquehanna Indians* applied to this Government, that the *Shawanese* might be admitted to settle, and said, that they would become answerable for their good Behaviour.—— That the first Proprietary, WILLIAM PENN, Esq; arriving soon after this Transaction, the Chiefs of the *Shawanese* and *Susquehanna Indians* came to this City, and renewing their said Application, the Proprietary agreed to their Settlement there; whereupon the *Shawanese* came under the Protection of this Government. From that Time greater Numbers of those *Indians* followed them, and settled on *Susquehanna*, and the Upper Parts of *Delaware*.——That as they had joined themselves to the *Susquehanna Indians*, who were dependant on the *Five Nations*, they thereby fell also under their Protection. That several Treaties were held with those amongst the other *Indians* at different Times by this Government; and from their first coming, they were accounted and treated as

1755. *November* 24. our *Indians*.——That ſome of their young Men, about the Year 1727, committed ſome Diſorders in this Province, and though the Government had fully forgiven them for theſe Outrages, yet, being on that Account threatened by, and therefore afraid of, the *Six Nations*, they removed to the River *Ohio* in the Year 1728, or 1729, and there, ſoon after, put themſelves under the Protection of the *French*, who received them as their Children.——That Meſſages were ſent from this Government to them to return to us; and Applications were made to the *Six Nations* to interpoſe and prevail on them ſo to do. And the better to induce and encourage them to leave the *French*, a large Tract of Land was offered them on the Weſt-Side of *Suſquehanna*, where they had been ſettled before, and they were deſired by all Means to return thither.——That the Proprietary, THOMAS PENN, upon his Arrival in the Year 1732, again preſſed them to return and live on this Land, which he promiſed them ſhould be always kept for them, and their Children, if they would come and live upon it; but they declined it, ſaying, they were afraid of their Enemies the *Tuteloes*, and that it was not convenient for their Hunting, but deſired that the Land might be kept for them, which it has ever ſince been. But we find the Aſſembly are miſtaken in their ſaid ſecond Meſſage, in ſaying, that Part of the ſaid large Tract was ſurveyed into the Proprietary Manor, on *Conedoguinet*; for the Fact was, that in order the more effectually to keep off any other Settlers on that large Tract, the Proprietaries cauſed the Whole of it to be ſurveyed as a Proprietary Manor. And in looking into many of the Proprietary *Indian* Purchaſes, we find that this Land has been bought over and over again by the Proprietaries, as well of the *Suſquehanna Indians* as of the *Six Nations*, to whom it did belong.

We thought proper to report theſe Matters thus particularly, that it might appear evident that the *Shawaneſe* did not originally belong to this Province, and never had any Right to any Lands in it, or made any Pretenſions thereto, but that the Proprietaries, from Favour, and to encourage thoſe *Indians* to remove from the Neighbourhood of the *French*, and live among us, offered them the ſaid large Tract of Land for their Habitation.

We likewiſe find by the ſaid Treaty held by the ſaid Commiſſioners at *Carliſle* in 1753, that the Chiefs of both theſe Nations of *Delawares* and *Shawaneſe*, did, in a ſolemn Manner, renew the Treaties of Amity and Friendſhip with this Province.

We further find, that in the Fall of the Year 1754, Mr. *Weiſer* was deputed by this Government to have an Interview with the ſeveral Nations of *Indians* at *Aughwick*, amongſt whom were ſome of the ſame Chiefs of the *Delawares* and *Shawaneſe* as were at *Carliſle* the Year before; and by his Journal it appears, that theſe very Chiefs made the ſtrongeſt Profeſſions of their Friendſhip to this Government, and of the grateful Senſe they retained of the conſtant good Uſage and Favours they had received from it, and in particular, of our procuring the Diſcharge of ſome of the *Shawaneſe*, who had been made Priſoners at *Carolina*, and our kind Treatment of them in their Return, and Goodneſs in ſending them back to their Nation; and of their own Accord did ratify, confirm and renew their League with this Government, without making the leaſt Complaint againſt the Proprietaries, or this Government, on Account of the ſaid Tract of Land, or on any other Account, as it is well known to all who are acquainted with *Indian* Affairs they would have been ready enough to do, if they had imagined they had any juſt Cauſe for it, and without making any Enquiry whether ſuch Application had been made to the Proprietaries, and what the Succeſs thereof had been as it was natural to expect they would, if any ſuch Promiſe had been made them to do it; and therefore we conclude, that they could then have no Diſpleaſure at any Thing done to them either by the Proprietaries or Government before that Time.

And we further beg Leave to remind your Honour, that at one of the Conferences lately had with *Scarroyady*, one of the *Six Nation* Chiefs, and *Andrew Montour*, in the Council Chamber, they being particularly aſked, if the *Delawares* or *Shawaneſe* had any Cauſe of Complaint given them by this Government, they declared, that thoſe *Indians* had never mentioned any to them; and that they never heard, not did believe, they had any, but that they attributed their Defection wholly to the Defeat of General *Braddock*, and the Encreaſe of Strength and Reputation gained on that Victory by the *French*, and their intimidating thoſe *Indians*, and uſing all Means by Promiſes and Threats to ſeduce and fix them in their Intereſt; and to the ſeeming Weakneſs and Want of Union in the *Engliſh*, and their appearing unable or unwilling to protect them, and particularly this Government, who had conſtantly refuſed to put the Hatchet into their Hands. And we beg Leave to ſay, we are entirely of Opinion, that this is the true and ſole Cauſe of their Defection.

Upon the Whole, we beg Leave to aſſure your Honour, that from a careful Inſpection and Examination of all the Tranſactions between this Government and the ſaid *Delaware* and *Shawaneſe Indians*, we find that the Conduct of the Proprietaries and this Government has been always uniformly juſt, fair and generous towards thoſe *Indians*; and that it does not appear to us, that they could have any Pretence of Right to the ſaid Land, or any Part of it, nor any juſt Foundation for any Claim thereof, unleſs from the

ſaid

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said voluntary Offer so made them by the Proprietaries, to come and live on the said Land, which they declined, and refused to accept of; nor that they had any just Cause of Complaint against the Proprietaries or this Government on that or any other Account; and that if they had made any such Complaint at the said Treaty at *Carlisle*, in 1753, the said three Commissioners, who knew so well what was proper, and have so minutely set forth the Transactions of that Treaty in their said printed Report thereof, which they therein call a full and just Account of all their Proceedings, could not possibly have omitted so material an One; but if any such Thing was there really spoke of by those *Indians*, they must, as we do, look upon it as a groundless, insignificant Claim, and not worthy of being inserted in their said Report.

ROBERT STRETTELL,
JOSEPH TURNER,
THOMAS CADWALADER."

Philadelphia, November 22, 1755.

GENTLEMEN,

A Message from the Governor to the Assembly.

'THE Success of his Majesty's Arms, employed in driving the *French* from their 'Encroachments in *Nova-Scotia*, put it into the Power of Governor *Lawrence* to 'reduce the *French* Inhabitants of that Colony, commonly called *French Neutrals*, to 'a proper Obedience to his Majesty's Government, or of forcing them to quit the Country. 'But they refusing to swear Allegiance to his Majesty, it was thought by him, and his 'Majesty's Council there, as well as by the Admirals *Boscawen* and *Moyston*, necessary 'for the Safety of that Province, that a considerable Number of them should be removed, 'and divided among the other Colonies; and a Part of those destined for this Province 'are already arrived; but as I did not think it safe, in our present Circumstances, to per-'mit them to land, I have ordered the Vessels that brought them to lie at a convenient 'Distance below the Town, and have put Guards upon them, and ordered them Pro-'visions.

'Imagining General *Shirley* to be at *New-York*, I have acquainted him of their Ar-'rival, and the Danger that might accrue to us from such a Number of People of their 'Principles coming amongst us at this Time, and desired his particular Instructions in 'what Manner I might best dispose of them; and I wait his Answer: But as I hear he 'is still at *Albany*, and the Doctors have reported to me, that it is dangerous to suffer 'them to continue longer in such a crouded State, I therefore think it necessary to land 'them at the *Province Island*, and recommend it to you to make Provision for them, and 'to enable me to place a proper Guard over them.

Philadelphia, November 24, 1755. *ROBERT HUNTER MORRIS*."

A Message from the Governor to the Assembly.

GENTLEMEN,

'ON *Saturday* last I received Letters from the Proprietaries, in Answer to mine give-'ing them an Account of the Defeat of the Forces under General *Braddock*, where-'in they express great Concern at that unfortunate Event, and at the Danger to which 'this Province was exposed in Consequence thereof. Their Care and Regard for the 'Safety of the People was such, that immediately upon receiving that Piece of Intelli-'gence, they sent me an Order upon their Receiver-General for *Five Thousand Pounds*, 'as a free Gift to the Public, to be applied to such Uses as that Event might make ne-'cessary for the common Security of the Province. This timely and generous Instance 'of the Proprietaries Care and Anxiety for the Inhabitants, cannot fail of making the 'most lasting Impression upon the Minds of every Well-wisher to this Country.

'I have directed the Receiver-General to have the Money ready as soon as possible; 'and it will be paid to such Persons as shall be appointed by Act of Assembly for the 'Disposition of any Sum you may think necessary to raise for the Defence of the Pro-'vince in this Time of Danger.

'Upon this Occasion, Gentlemen, I must again recommend it to you, to lay aside all 'Disputes, and to grant such Supplies, in Addition to what the Proprietaries have given, 'as his Majesty's Service and the pressing Exigences of the Province require.

Philadelphia, November 24, 1755. *ROBERT HUNTER MORRIS*."

The Bill for the better ordering and regulating such as are willing and desirous to be united for Military Purposes within this Province, being ingrossed, was read, and compared at the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *November* 25.

The following Remonstrance was presented to the House and read, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of *Pennsylvania*, in ASSEMBLY met.

A REMONSTRANCE by the Mayor, Aldermen *and* Common-Council *of the City of* Philadelphia, *in Behalf of the said City.*

A Remonstrance from the *Mayor*, &c.

GENTLEMEN,

YOU were lately called together upon more urgent Business than ever came before an Assembly of this Province; and while you have been sitting scarce a Day has passed

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paſſed wherein you have not heard of the inhuman Slaughter of your Fellow-Subjects, and been loudly called upon for that Protection, which, by the moſt ſacred Ties, you owe to the People. On ſuch an Emergency we imagined you had an eaſy and expeditious Mode of Procedure before you, namely, to poſtpone all Diſputes to a more ſeaſonable Time; to grant the neceſſary Supplies on ſuch Terms as thoſe on which the reſt of his Majeſty's Colonies have granted large Sums for the like Purpoſes: And laſtly, to paſs a reaſonable Law, in order to collect and regulate the Force of the Province, for repelling the preſent cruel Invaſion. Nevertheleſs, while you have been deliberating, much innocent Blood hath been ſpilt, a great Extent of our Country laid waſte, and the miſerable Inhabitants ſcattered abroad before the ſavage Spoiler.

We therefore, in the moſt ſolemn Manner, before GOD, and in the Name of all our Fellow-Citizens, call upon you, adjure you, nay, we ſupplicate you, as you regard the Lives of the People whom you repreſent, to give that legal Protection to your bleeding Country, which ought to be the chief Object of all Government at ſuch a perilous Juncture as this; and let it be no longer ſaid, that while we are daily hearing ſo much concerning Privilege and Right, we are in the mean time deprived of that moſt eſſential Right, and great firſt Privilege, (which GOD and Nature gave us) of defending our Lives, and protecting our Families.

We profeſs the ſame Reaſons for this Application which determined many of the Inhabitants of this City to make a like Application on the Twelfth Inſtant; and as thoſe Reaſons now lie before you, we need not repeat them further than by obſerving, that a well regulated Militia has always been found both the ſureſt and leaſt expenſive Method of Defence, and that, upon any other Plan, great Sums of Money muſt be thrown away to little Purpoſe, and the People thereby burdened with grievous Taxes.

Another Reaſon for thus applying to you, is the great Diſtreſs which this City, committed to our Care, is like to labour under by the vaſt Increaſe of the Poor from all Parts of the Country, and the melancholy Proſpect of having far greater Numbers of the unhappy Back Settlers driven in upon us from their Habitations, and continually flying to the Shelter and Charity of the City, as the Place of the greateſt Safety. This muſt neceſſarily be prejudicial to the general Courſe of Buſineſs, and enhance the Value of all Neceſſaries by encreaſing the Number of Mouths, and at the ſame Time diminiſhing the Number of Hands that ſhould ſupply our Market; all which will prove a Burden upon us too heavy to bear.

Seeing therefore our Affairs are brought to ſuch a Criſis, and as this our reaſonable Demand cannot require much Time for your Conſideration, having already been ſo often made to you by Petitions from all Parts of the Province, we do earneſtly recommend Diſpatch to you; for as the People ſeem already in a deplorable and deſperate Condition, we fear it will not be poſſible to preſerve the Peace and Quiet of this City, nor of the Province itſelf, much longer, if ſome effectual Methods are not ſpeedily taken for their general Defence and Security.

November 24, 1755. *By Order of the Board,*

WILLIAM PLUMSTED, *Mayor.*"

Ordered to lie on the Table.

The Committee appointed to conſider the Governor's Meſſage of the Twenty-ſecond Inſtant, relating to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, made a Report thereon in Writing, which was read, and is as follows, *viz.*

Committee's Report on the Governor's Meſſage.

WE have conſidered the Governor's long Meſſage of the Twenty-ſecond Inſtant, and are of Opinion, that as the Bulk of the ſaid Meſſage conſiſts of groundleſs Charges and Calumnies againſt the Aſſemblies and People of this Province, which have been repeatedly refuted in the Anſwers of the Aſſembly of *May* 17, *Auguſt* 8, *Auguſt* 19, *September* 29, *&c. &c.* there is not now the leaſt Neceſſity of giving any Anſwer to thoſe Parts of the Meſſage, they may be ſafely left to themſelves.

And though we had prepared a full Anſwer to the reſt of that Meſſage, yet as there ſeems from the Governor's Meſſage of laſt Night ſome Hopes of an Agreement with him, in the Bill for granting *Sixty Thouſand Pounds*, which is the principal Buſineſs of the preſent Seſſion, we ſubmit it to the Houſe, whether at this Time it may not be more conſiſtent with the Prudence and Moderation of the Houſe to ſuppreſs it.

There is however one or two new Charges againſt the Aſſemblies of this Province, which it may be proper to take ſome Notice of. The firſt is, that they "contemptuouſly "treated the Proprietary Offer of *Four Hundred Pounds*, for erecting a Place of Strength "on the *Ohio*, together with an Offer of *One Hundred Pounds per Annum* towards its "Support; which Offers were made at a Time when the Concurrence of the Aſſembly "would probably have prevented many of the Calamities we now groan under."

What this "contemptuous Treatment" was is not here ſpecified, but may be explained by a Paſſage in the *Brief State*, Page 12, where it is ſaid, the Houſe refuſed the Propoſal a Place in their Minutes. But, in Truth, the Propoſal of building a ſtrong Houſe upon the

the *Ohio* appears upon our Minutes, in Pages 75, 76 and 82*, of the Election in 1750; and nothing further than what is there could properly be made a Part of thoſe Records. The late Governor *Hamilton*, after ſending the Meſſage of the Thirteenth of *Auguſt*, 1751, requeſted a private Meeting with ſome of the Members of that Houſe, but without any Authority from the Aſſembly. 1755. November 29.

At this Meeting Governor *Hamilton* offered, on Behalf of the Proprietaries, *Four Hundred Pounds*, towards building ſuch a Houſe upon or near the *Ohio* (but not a Syllable of maintaining or ſupporting it.) The *Indians* were ſo far from preſſing our engaging in it, that Inſtructions were drawn by this Government to require it of them, at a Treaty held by *G. Croghan*, in *May*, 1751, and they evidently ſhewed themſelves apprehenſive ſuch an Attempt might give Umbrage to the *French*, and bring them down the *Ohio* with an armed Force, to take Poſſeſſion of thoſe Lands. And about two Years afterwards, theſe very *Ohio Indians*, at the Treaty held at *Carliſle*, in *October*, 1753, ſay to our Government, "I deſire you would hear and take Notice of what I am about to ſay; the Governor of "*Virginia* deſired Leave to build a ſtrong Houſe on *Ohio*, which came to the Ears of the "Governor of *Canada*, and we ſuppoſe this cauſed him to invade our Country." *Treaty*, Page 8. The ſame Sentiments appeared among the *Six Nations* at the *Albany* Treaty; "that the *Engliſh* and *French* were only contending which of them ſhould have their "Lands." The Reaſoning made uſe of by the Members at this private Conference with the late Governor was, that the Land, where they propoſed to build it, was claimed by the Crown, and was very probably beyond the Limits of *Pennſylvania*; that, at leaſt, it would be beyond the Reach of our Laws, as appeared by the People already ſettled on *Juniata*, juſt beyond the *North Mountain*; that this, inſtead of healing, might create irreconcilable Breaches with our *Indians*, conſidering what Sort of People would probably reſide there; that the *Indians* had never heartily requeſted it, nor did it ſeem to be their Intereſt ſo to do; and if they had requeſted it, as they were in Subjection to the *Six Nations*, it would be neceſſary to have their Aſſent; that this precipitate Act would probably create a Jealouſy in the *French*, and give them ſome Pretence of an Infraction of the Treaty of *Utrecht* on our Part, and might finally engage the *Britiſh* Nation in a War with *France*. Theſe, and many other Reaſons, were urged at that private Conference, as ſeveral of thoſe Members apprehended to Governor *Hamilton's* Satisfaction. And it appears by *George Croghan's* Journal, that thoſe *Indians* neither did, nor did they think they could, give Leave to build a Houſe on the *Ohio*, without the expreſs Conſent of the *Six Nations*; and accordingly they took Two Months to acquaint the *Onondago* Council with this Tranſaction, and then to ſend us Word, which they never complied with.

It appears further, by the Aſſembly's Meſſage to Governor *Hamilton*, on the Twenty-firſt of *Auguſt*, 1751, taken from the Informations of *Conrad Weiſer* and *Andrew Montour*, "that the Requeſt inſerted in *George Croghan's* Journal, as made by the *Indians* at "*Ohio* to this Government, to erect a ſtrong Trading Houſe in their Country, as well "as the Danger 'tis there ſaid they apprehended from the Attempts of the *French*, were "miſunderſtood, or miſrepreſented by the Perſon the Governor confided in for the Ma-"nagement of that Treaty." But it may be unneceſſary to purſue this Enquiry into an Affair wherein *George Croghan* thought himſelf unkindly, if not unjuſtly, ſacrificed to private Ends, as is well known to ſuch as were acquainted with this Affair, and appears in the Letters and other Papers ſent by himſelf to ſome of the Members of that Aſſembly.

The other new Charge is, "That we would not admit that the *French* Encroachments "were within the King's Dominions." The Proceedings of the Aſſembly at that Time will ſhew, that this Charge is as ill-founded as the other; for though the Houſe never took upon them to aſcertain the Bounds of the King's Dominions, they never directly nor indirectly denied thoſe Encroachments to be within them.

We have alſo conſidered the Extracts from the Minutes of Council, and compared them with the Journals of this Houſe; and though at firſt Sight of thoſe Extracts, it would ſeem as if many Supply Bills, granting Money to the Crown, had paſſed with Amendments from the Governor, we muſt obſerve that great Art has been uſed in the Forming this Liſt of Bills contained in the Extracts; for

Firſt, Where a Number of Bills of that Kind paſſed at the ſame Time, if the Governor had propoſed Amendments to one of them, though none to the reſt, they are all put down in the Liſt as Money Bills paſſing at ſuch a Time, with the Governor's Amendments.

Secondly, Where the Governor propoſed Amendments to Bills, though ſuch Amendments were not agreed to, and the Bills paſſed without them; yet ſuch Bills ſerve to encreaſe this Liſt.

Thirdly, Where the Governor propoſed Amendments to Bills, which not being agreed to, the Bills never paſſed at all, yet theſe are recited as Bills amended by the Governor.

Fourthly, Where Amendments had been propoſed by the Governor, and refuſed by the Houſe; and the Bills dropped; but were reſumed *de novo*, in a ſubſequent Seſſion, or

* In this Volume of the Votes Page 189 to 193.

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even a ſubſequent Aſſembly; and thoſe Amendments then (as they properly might be) taken in; theſe help to make up the Liſt of Bills amended by the Governor.

Fifthly, Where the Houſe, rejecting the Governor's Amendments, have ſubſtituted Amendments of their own; theſe are called Bills amended by the Governor.

Sixthly, Where the Houſe, to avoid the Occaſion of any Diſputes about Amendments of Money Bills, confiding in the Ability and good Diſpoſition of the Governor to aſſiſt them with his Advice in the Forming of their Bills, have communicated their Draughts to him before the third Reading, and he has kindly afforded his Aſſiſtance, as was common in Governor *Keith's* Time; theſe are all added to ſwell the Liſt of Money Bills that paſſed with the Governor's Amendments.

Seventhly, Bills that contained no general Grants of Money, but were in the Nature of private Bills, ſuch as for raiſing Money for the Uſe of the City of *Philadelphia*, or the particular Uſes of a County, are all added to this Liſt.

Eighthly, Little Supplementary Bills to enforce the Collection of the Arrearages of a Tax, or the like, are ranked among thoſe Money Bills to which Governors have propoſed Amendments.

Ninthly, Where the Governor only objected to the Officer nominated in an Exciſe Bill, and the Houſe adhered to their Nomination; but the Officer appearing in the Houſe, and refuſing to ſerve, and the Houſe being therefore under a Neceſſity of nominating a new Officer; this is alſo reckoned among Money Bills paſſed with the Governor's Amendments.

Tenthly, Bills merely intended to prevent Inconveniences, by laying Penalties, Half to the Uſe of the Informer, and Half to the Government, are reckoned among the Money Bills. And in ſhort, it ſeems as if every Bill that had the Word *Money* in it, if the Word *Amendment* could be found in any Minute of Council relating to it, is, right or wrong, inliſted among the *Money Bills* ſaid to be paſſed with the Governor's Amendments. Were all theſe to be deducted from the Liſt, it would appear that there are but few Inſtances in our Journals of proper Money Bills amended by the Governor, and the Amendments agreed to by the Houſe; this is no more than was acknowledged by the preceding Aſſembly, in their Meſſage of the Twenty-ninth of *September*, where they ſay, that in a very few Inſtances their Predeceſſors might have waved that Right on particular Occaſions, but had never given it up.

RICHARD PEARN, JAMES WEBB,
BENJAMIN FRANKLIN, DAVID M'CONNAUGHY,
MAHLON KIRKBRIDE, JOSEPH ARMSTRONG,
PETER DICKS, WILLIAM EDMONDS."

Ordered, That the Draught of the Anſwer to the Governor's Meſſage, mentioned by the Committee in the foregoing Report, be read.

And it was read accordingly.

Reſolved, That this Houſe do agree with the Report of the Committee; and that the ſaid Anſwer be at preſent laid aſide, for the Reaſons given.

The Houſe being informed, that ſundry Inhabitants of the County of *Philadelphia*, and ſome from the County of *Cheſter*, were attending without, and deſired to be admitted to lay ſomething before the Houſe in Perſon, they were called in; and one of them preſented to the Speaker a Paper, ſigned by *Twenty-nine* Perſons, which was read, by Order of the Houſe, and follows in theſe Words, *viz.*

November 19, 1755.

" At a Meeting of the Inhabitants of the County of *Philadelphia*, We, your Peti-
" tioners, here preſent ourſelves in Perſon; humbly deſiring that our Governor and Houſe
" of Repreſentatives do unite in the Fear of Almighty God; ſo, by his Grace, be enabled
" to proceed to take ſuch Ways and Meaſures as may be moſt agreeable to his divine
" Will, for our Preſervation in this Time of imminent Danger. Which is the ſincere
" Deſire and Requeſt of us whoſe Names are here under ſubſcribed."

After the foregoing Petition was read, ſome Converſation enſued between the Speaker and the Petitioners, to the following Purport: The Speaker told them, that it was well known this Houſe was compoſed of Members choſen, without any Solicitation on their Parts, to be the Repreſentatives of the People and Guardians of their Liberties; that the whole Powers the Houſe were inveſted with were derived from the People themſelves, and that as the Houſe had hitherto, ſo they ſhould ſtill continue to diſcharge the high Truſt repoſed in them to the beſt of their Underſtanding and Abilities; and then aſked them, *Whether they deſired that the Houſe ſhould give up any Rights, which, in the Opinion of the Houſe, the People were juſtly intitled to?* Some of the Petitioners, in Behalf of the Whole, anſwered, *No; they were far from requiring any Thing of that Kind; all they wanted was that ſome Expedient might be fallen upon, if poſſible, to accommodate Matters in ſuch a Manner as that the Province might be relieved from its preſent unhappy Situation.*

To

To this the Speaker replied, that Nothing could be more agreeable to this House than a Harmony between the two Branches of the Legislature; and that as the Governor had Yesterday Evening sent down a Message, intimating that the Proprietaries are now disposed to contribute a Sum of Money towards the common Security of the Province, there was a great Probability that all Controversies on that Head were at an End, and that some Method would be speedily taken for relieving the Province from its present Difficulties. 1755. November 25.

And the Petitioners being withdrawn, their Petition was again read, and considered, and, after some Time spent therein,

Resolved, That as the Bill for granting *Sixty Thousand Pounds* to the King's Use, which was presented to the Governor for the Purposes mentioned in the said Petition, is now returned to the House without his Assent, this House will, as soon as may be, proceed to consider what other Means are in their Power to answer the Prayer of the said Petition, and to afford the Province suitable Relief under its present distressed Circumstances.

Ordered, That *Griffith Owen* and *David M'Connaughy* wait upon the Governor, and acquaint him, that the Bill for the better ordering and regulating such as are willing and desirous to be united for Military Purposes within this Province is engrossed, and that the House desire he would be pleased to appoint some of the Council to join with the said Members of this House, to compare the same. And further, desire that the Governor would be pleased to appoint a Time when the House shall wait upon him, in order to have the said Bill passed into a Law.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor, with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to appoint a Member of the Council to join the Members of this House in comparing the engrossed Bill, who found it to agree with the Original; and he was pleased to say, that he would be in the Council Chamber at Four o'Clock this Afternoon, in order to pass the same into a Law. *Post Meridiem*

A Message from the Governor, by the Secretary,

S I R,

" The Governor is now in the Council Chamber, ready to receive the House, in or-
" der to pass the Militia Bill into a Law."

Ordered, That *Griffith Owen* and *David M'Connaughy* see the Great Seal affixed to the Law after it shall be passed, and the same deposited in the Rolls Office.

Then the Speaker, with the whole House, waited on the Governor.

And being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act for the better ordering and regulating such as are willing and desirous to be united for Military Purposes within this Province*, to which the Governor was pleased to give his Assent, by enacting the same into a Law.

Upon Motion made,

Resolved, That it is the Opinion of this House, that the Trustees of the *Province-Island* should admit as many of the *French* Neutrals into the Houses on said Island as conveniently may be; and this House will make Provision for defraying the Charges the said Trustees shall be put to in maintaining the said Neutrals.

The Governor's Message, relating to the Proprietaries Offer of *Five Thousand Pounds*, being again read, and considered;

Resolved, N. C. D. That the Right of granting Supplies to the Crown in this Province, is alone in the Representatives of the Freemen met in Assembly, being essential to an *English* Constitution. And the Limitation of all such Grants, as to the Matter, Manner, Measure and Time, is in them only.

Resolved, That in Consideration of the Governor's Message of Yesterday, by which it appears, that the Proprietaries have sent him an Order on the Receiver General for *Five Thousand Pounds*, to be paid into the Hands of such Persons as shall be appointed by Act of Assembly, and applied with such Sums as the Assembly should grant, to such Uses as may be necessary for the common Security of the Province; and as it would not be reasonable or just, at this Time, to tax the Proprietary Estate, in order to raise Money therefrom, over and above the said Grant from the Proprietaries, the House will immediately proceed to form a new Bill for granting a Sum of Money to the Use of the Crown, and therein omit the Taxation of the said Estate.

Ordered, That *Joseph Stretch*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Peter Dicks*, *James Wright*, *David M'Connaughy*, *Joseph Armstrong* and *William Edmonds* be a Committee to prepare a Draught of a Bill for the Purposes aforesaid.

The Gentlemen appointed to see the Great Seal affixed to the Law, reported, that the same is done, and that it is deposited in the Rolls Office.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Bill

1755. November 26. A Bill for granting the Sum of *Sixty Thouſand Pounds* to the King's Uſe, and for ſtriking *Fifty-five Thouſand Pounds* thereof in Bills of Credit, and to provide a Fund for ſinking the ſame *(wherein the Proprietary Eſtate is exempted from Taxation towards raiſing the ſaid Sum, in Conſideration of their granting* Five Thouſand Pounds *in Lieu thereof)* was brought in by the Committee appointed to prepare the ſame, read the firſt time, and ordered a ſecond Reading.

The Secretary brought down to the Houſe ſundry Letters and Papers, containing an Account of the Deſtruction of *Mahony*, a *Moravian* Settlement in this Province, which he informed the Houſe the Governor had juſt received by Expreſs from *Northampton* County.

And the ſaid Letters and Papers were read, and ordered to lie on the Table.

The Bill, entituled, *An Act for granting the Sum of* Sixty Thouſand Pounds *to the King's Uſe, and for ſtriking* Fifty-five Thouſand Pounds *thereof in Bills of Credit, and to provide a Fund for ſinking the ſame*, being read the ſecond and third times, by ſpecial Order,

Reſolved, That the Bill do paſs.

Ordered, That *David M'Connaughy* and *Joſeph Armſtrong* do carry up the ſame to the Governor for his Concurrence.

Ordered, That *Mary Burden* do, as ſoon as may be, in the next enſuing Spring, remove out of the Office, in the Weſtern Wing of the State-houſe, where ſhe has dwelt for ſome Time paſt; and that the Superintendants of the State-houſe do give her Notice thereof.

The Houſe being informed, that ſundry Inhabitants of the County of *Northampton* were attending without, and had ſomething to offer to the Houſe, they were called in; and, after informing the Houſe of the Apprehenſions the Inhabitants of ſaid County were under, on Account of the late Incurſions of the *Indians*, they withdrew.

Anthony Benezet attending without, was called in, and informed the Houſe, that he had, at the Requeſt of ſome of the Members, viſited the *French* Neutrals now on board ſundry Veſſels in the River near the City, and found that they were in great Want of Blankets, Shirts, Stockings, and other Neceſſaries; and he then withdrew.

Reſolved, That this Houſe will allow ſuch reaſonable Expences as the ſaid *Benezet* may be put to in furniſhing the Neutral *French* now in this Province with Neceſſaries.

The Gentlemen return, and report, that they had delivered the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, to the Governor, according to Order; and that the Governor was pleaſed to ſay, he ſhould immediately take the ſaid Bill into Conſideration, and give it all the Diſpatch in his Power.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The following Petition from ſundry Creditors of *George Croghan* and *William Trent* was laid before the Houſe and read, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of *Pennſylvania*, in GENERAL ASSEMBLY met.

The PETITION of the principal Creditors of George Croghan *and* William Trent, *of the County of* Cumberland, *Partners, and* Indian *Traders*,

Humbly ſheweth,

Petition from *G. Croghan's* and *W. Trent's* Creditors. THAT the ſaid *George Croghan* and *William Trent* ſtand indebted to your Petitioners, and ſundry others, in conſiderable and large Sums of Money; and that by many Loſſes, occaſioned by the Defection of our *Indian* Allies from their former Friendſhip and Amity with this Province, and the Invaſion and Conqueſt by the *French* on the *Ohio*, and the adjacent Country, (where, for the moſt Part, the Goods purchaſed of your Petitioners were ſold, the Contracts by the ſaid *George Croghan* and *William Trent* made, and their Debts became due) they are rendered altogether deſtitute of Money or Effects to make that Satisfaction to their Creditors, which their Inclination and Conſcience would oblige them to do, were it in their Power.

That the ſaid *George Croghan* has been for ſome Time, and is now, at *Aughwick*, in the moſt melancholy and deplorable Circumſtances, in a Condition very defenceleſs, deſtitute of all Kinds of Proviſions, but what is procured at the Hazard of his Life, and daily liable to the Invaſion and Maſſacre of our Barbarian Enemies; that your Petitioners are well aſſured that the ſole Cauſe of his continuing there, in this dangerous and truly unhappy Situation, proceeds from an Apprehenſion that ſome of his Creditors would lay him under an Arreſt, and deprive him of his Liberty, ſhould he come into the more ſettled Parts of the Province; that although the chief and principal of the Creditors of the ſaid *George Croghan* and *William Trent* reſide in this City, and are of the Subſcribers hereunto, yet there are many others to whom leſs Sums are due, diſperſed throughout the

the ſeveral Counties in this and the adjacent Provinces, which renders it next to impoſſible to procure all their Creditors to ſign a general Letter of Licence (the uſual Method made uſe of in ſuch Caſes) however inclinable they may be ſo to do: That your Petitioners conceiving, that the Keeping of the ſaid *George Croghan* under his preſent unhappy Circumſtances will anſwer no good End, and at the ſame Time taking into their Conſideration the great Knowledge of the ſaid *George Croghan* in *Indian* Affairs, his extenſive Influence among them, and the Service and public Utility he may be of to this Province in theſe Reſpects, they are willing chearfully to ſurrender up their juſt Demands againſt the ſaid *George Croghan* and *William Trent*, for the Space of Ten Years; and are induced to pray, that this Houſe would be pleaſed to take the Premiſes into their wiſe and prudent Conſideration, and enact ſuch a Law as they ſhall think moſt expedient and fit to render the ſaid *George Croghan* and *William Trent*, or either of them, free from any Arreſt, Suit, Trouble or Moleſtation whatſoever, for any Sums of Money which now are due, or contracted for, and yet to become due, as well to us as to others their ſaid Creditors. Inſerting, nevertheleſs, in the ſaid Act a Proviſo, that nothing therein contained ſhall affect any Debts which are due to any Perſon whatever from the ſaid *George Croghan* and *William Trent*, in Company with others, ſo as to diſcharge their Partners (if any there be) from ſuch Company Debts; and your Petitioners, as in Duty bound, will ever pray. 1755. November 26.

Jeremiah Warder,
Samuel Neave,
William and *David M'Ilvaine*,
Buckridge Sims,
Benjamin and *Samuel Shoemaker*,
James Wallace,
James Benezet,
Thomas Campbell,
William Weſt,
Adam Hoops,
John Potter,
For late Company of *Levy* and Company, *David Franks*,
Joſeph Morris."

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpoſes mentioned in their Petition.

The Secretary brought down the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, and for ſtriking *Fifty-five Thouſand Pounds* thereof in Bills of Credit, and to provide a Fund for ſinking the ſame, with a verbal Meſſage, that the Governor is ready to paſs the ſame into a Law whenever the Houſe ſhall preſent it to him for that Purpoſe.

The Account from *James Rankin*, for Services done on the *Ohio* Road, was agreed to be allowed by the Houſe.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, and for ſtriking *Fifty-five Thouſand Pounds* thereof in Bills of Credit, and to provide a Fund for ſinking the ſame, being ingroſſed, was read, and compared at the Table. *November* 27.

Ordered, That *Richard Pearn* and *Griffith Owen* wait upon the Governor, and acquaint him, that the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe is ingroſſed, and that the Houſe deſire he would be pleaſed to appoint ſome of his Council to join with the ſaid Members of this Houſe, to compare the ſame: And likewiſe, that he would be pleaſed to appoint a Time when the Houſe ſhall wait upon him, in order to have the ſaid Bill paſſed into a Law.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would appoint a Member of Council to join the Members of this Houſe to compare the ingroſſed Bill with the Original; and that he would be at the Council Chamber at Four o'Clock this Afternoon, in order to enact the ſame into a Law.

Ordered, That *James Pemberton* and *William Callender* wait upon the Governor, and acquaint him, that the Houſe look upon the Bill for regulating the *Indian* Trade, which has lain ſo long before the Governor, as a Bill of the utmoſt Conſequence to the Welfare of this Province, and deſire to know if he hath yet come to any Reſolution thereupon.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that he had not yet conſidered the Bill for regulating the *Indian* Trade, nor did he know when he ſhould; that he conceived the ſaid Bill required a great Variety of Amendments; and that he muſt conſult the Laws of the other Provinces thereupon.

Orders were drawn on the Treaſurer for the Payment of *Henry Kepple's* and *George Honey's* Accounts, for *Indians* Expences (the firſt amounting to *Five Pounds Fourteen Shillings* and *Six-pence*, and the latter to *Eight Pounds* and *Nine-pence*) and ſigned by the Speaker, by Order of the Houſe.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

Ordered, That *Richard Pearn* and *John Hughes* do meet ſuch Members of the Council as the Governor ſhall appoint, to compare the engroſſed Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, with the Original.

The Gentlemen return, and report, that they had, with ſome Members of the Council, compared the ſaid engroſſed Bill with the Original, and found them to agree.

The Committee of Accounts reported on *David M'Gaw's* Account, for Blankets furniſhed

1755. November 27. niſhed the Labourers on the *Ohio* Road, amounting to *Seven Pounds Eleven Shillings* and *Six-pence*, that they were of Opinion the ſame ought to be allowed by this Houſe. — To which the Houſe agreed.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

A Meſſage from the Governor, by the Secretary:

S I R,

" The Governor is now in the Council Chamber ready to receive the Houſe, in order " to enact the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe into a Law."

Ordered, That *Richard Pearn* and *John Hughes* ſee the Great Seal affixed to the Law, after it ſhall be paſſed, and the ſame depoſited in the Rolls Office.

Then the Speaker, with the whole Houſe, waited upon the Governor.

And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act for granting* Sixty Thouſand Pounds *to the King's Uſe, and for ſtriking* Fifty-five Thouſand Pounds *thereof in Bills of Credit, and to provide a Fund for ſinking the ſame*, who was pleaſed to give his Aſſent thereto, by enacting the ſame into a Law.

Ordered, That *David M'Connaughy* and *Joſeph Armſtrong* have Leave to be abſent the Remainder of this Sitting, on urgent Buſineſs.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 28. A Bill for the Relief of *George Croghan* and *William Trent*, for and during the Space of Ten Years, was brought in, according to the Leave of the Houſe, read the firſt and ſecond time, and, after ſome ſmall Alterations made therein, ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill, entituled, *An Act for the Relief of* George Croghan *and* William Trent *for and during the Space of Ten Years*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Thomas Cummings* and *Peter Worral* do carry up the ſame to the Governor for his Concurrence; and likewiſe deliver to the Governor the following Meſſage, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. AS the Bill for regulating the *Indian* Trade, by employing ſober and diſcreet Perſons to reſide among thoſe Nations that remain Friends to this Province, for the Purpoſe of furniſhing them with the neceſſary Goods in Exchange for their Peltry, at eaſy and reaſonable Rates, on Account of the Public, and thereby ſecuring them to our Intereſt, ſeems to us a Bill of great Importance at this Juncture, we are very deſirous of bringing it to a Concluſion as ſoon as poſſible, and therefore once more earneſtly requeſt the Governor would be pleaſed to let us know his Sentiments upon it, and communicate the Amendments he is pleaſed to ſay he thinks needful, that we may conſider them. The Bill has already lain before him above two Weeks; and we fear, if ſomething of the Kind is not immediately gone into, we ſhall loſe our few remaining *Indians* on *Suſquehanna*; for as none of our Traders now go among them, and they dare not come down to our Settlements to buy what they want, for fear of being miſtaken for Enemies, there ſeems to be the greateſt Danger of their being neceſſarily driven into the Arms of the *French* to be provided with the Means of Subſiſtence.

November 28, 1755. *Signed by Order of the Houſe,*
ISAAC NORRIS, Speaker."

The Governor's Meſſage of the Twenty-fourth Inſtant, relating to the *French* Neutrals, was again read, and conſidered.

The Gentlemen return, and report, that they had delivered the Bill for the Relief of *George Croghan* and *William Trent*, and the Meſſage of the Houſe, according to Order, and that the Governor was pleaſed to ſay, he ſhould conſider the Bill relating to the *Indian* Trade as ſoon as poſſible; but he ſhould not be able to come to a Determination thereupon by To-morrow.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 29. The Governor's Meſſage of the Twenty-fourth Inſtant, relating to the *Shawaneſe Indians*, being again read, and conſidered;

Ordered, That *James Pemberton*, *Benjamin Franklin* and *James Wright* be a Committee to prepare a Draught of an Anſwer to the ſame.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ' SINCE your Bill for regulating the *Indian* Trade has been before me, my Time ' has been ſo much taken up with the Variety of Buſineſs that the Circumſtances of ' this Province made neceſſary to be diſpatched without Delay, that I have not been able

' to

'to give it the Consideration a Bill of that Nature requires, nor to examine the Laws 1755.
'of the neighbouring Provinces upon that Subject.——But as the *Indian* Trade is now *November* 29.
'at a Stand, I cannot conceive that it will be at all dangerous to the Public to defer
'the compleating of this Act till the next Sitting; especially as it will be necessary to
'call in and confine our friendly *Indians* to certain Limits, to prevent their being mis-
'taken for and killed as Enemies, where they must be subsisted. —— This will hinder
'them from Hunting, so that they will have no Skins to trade with.

Philadelphia, November 29, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary likewise brought down the Bill for the Relief of *George Croghan* and *William Trent*, with a proposed Amendment thereto, and informed the House that the Governor was ready to pass the said Bill into a Law, provided they agreed to the said proposed Amendment.

And the said Amendment being read, was agreed to by the House; and the Bill so amended was ordered to be engrossed.

Then the House adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment

The House met, pursuant to their Adjournment. *December* 1.

Ordered, That *Samuel Brown* and *Joseph Gibbons* wait upon the Governor, and acquaint *Post Meridiem*
him, that the House have agreed to his proposed Amendment to the Bill for the Relief of *George Croghan* and *William Trent*, and desire he would be pleased to appoint a Time when the House shall wait upon him in order to pass the same into a Law.

The House taking into Consideration the Maintenance of the *French* Neutrals, sent hither by Admiral *Boscawen*, and the Governor of his Majesty's Colony of *Nova-Scotia*, for the Security of the said Colony, recommended it to such of their Members as were of the Board of Commissioners for disposing of the *Sixty Thousand Pounds* granted to the King's Use, to provide for the Subsistence of the said Neutrals out of the said Money; the Province not having any other Fund sufficient for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for the Relief of *George Croghan* and *William Trent*, being engrossed, was *December* 2.
read, and compared at the Table.

The Gentlemen appointed to wait upon the Governor, with the Message of Yesternight, report, that they had delivered the same according to Order, and that the Governor was pleased to say, he should be at the Council Chamber at Eleven o'Clock this Morning, in order to enact the Bill for the Relief of *George Croghan* and *William Trent* into a Law.

Ordered, That *James Pemberton* do meet such of the Council as the Governor shall appoint, to compare the engrossed Bill with the Original.

And the said Member returned and reported, that he had, with a Member of Council, compared the engrossed Bill with the Original, and found them to agree.

A Message from the Governor, by the Secretary:

SIR,

" The Governor is now in the Council Chamber, ready to enact the Bill which has " passed the House with his Concurrence into a Law."

Ordered, That *Joseph Fox* and *Joseph Gibbons* see the Great Seal affixed to the Law after it shall be passed, and the same deposited in the Rolls Office.

Then the Speaker, with the whole House, waited upon the Governor.

The House being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act for the Relief of* George Croghan *and* William Trent *for and during the Space of Ten Years*; to which the Governor was pleased to give his Assent by enacting the same into a Law.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to see the Great Seal affixed to the Law, reported, that *Post Meridiem*
the same is done, and that it is deposited in the Rolls Office.

A Remonstrance from sundry Inhabitants of the County of *York*, praying for an additional Quantity of Arms and Ammunition, and that Forts may be erected at different Places on the Frontiers for the Protection of the Inhabitants, was presented to the House, and read, and recommended to the Consideration of the Commissioners for disposing of the *Sixty Thousand Pounds* granted to the King's Use.

The Governor, by the Secretary, sent down to the House a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

'GENERAL *Shirley*, pursuant to his Majesty's Orders for that Purpose, has re- A Message
'quested me to meet him at *New-York*, in a Congress he has there appointed, as from the Go-
'you will observe by the Extract of a Letter from him upon that Subject, which the vernor to the
'Secretary will lay before you. At that Meeting Business of the greatest Consequence Assembly.
'to his Majesty's Service and the Safety of these Colonies will be considered and con-

'cluded,

1755. *December* 2.

'cluded, and the Succeſs of the next Year's Operations may in great Meaſure depend 'on the timely Reſolutions of that Council.

'I have lately received ſuch Intelligence as to the State of *Indian* Affairs, as will 'make it neceſſary for the Colonies to join in ſome general Treaty with thoſe People, as 'well to the Southward as the Northward, which can no way ſo well be reſolved on 'as at the Congreſs now already met.

'And on the other Hand, the late Incurſions of the Enemy, and the Neceſſity there 'is of putting this Province into a Poſture of Defence, as well as carrying into Execu-'tion the ſeveral Matters now in Agitation, call for my Preſence, and the Authority 'of the Government. Under theſe Difficulties I find myſelf at a Loſs which Service to 'prefer, and deſire you will give me your Sentiments on this momentous and preſſing 'Occaſion.

Philadelphia, December 2, 1755. *ROBERT HUNTER MORRIS.*"

The Secretary likewiſe brought down an Extract of a Letter from Governor *Shirley*, and ſeveral Minutes of Council, and other Papers relating to *Indian* Affairs, which were read, and conſidered.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, relating to the *Shawaneſe*, reported the ſame to the Houſe; and it was read, approved, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 3.

The Anſwer to the Governor's Meſſage, relating to the *Shawaneſe Indians*, being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

WE have conſidered the Report of the Committee of the Governor's Council, to which he is pleaſed to refer us for an Anſwer to our Enquiry, relating to a Claim of the *Shawaneſe Indians* on the Lands near *Conedoguinet*. We are far from deſiring to juſtify thoſe *Indians* in their late Outrages and Murders committed againſt the People of this Province, in Violation of the moſt ſolemn Treaties. We believe that great Care has generally been taken to do the *Indians* Juſtice by the Proprietaries in the Purchaſes made of them, and in all our other public Tranſactions with them: And as they have not the ſame Ideas of legal Property in Lands that we have, and ſometimes think they have Right when in Law they have none, but yet are cheaply ſatisfied for their ſuppoſed as well as real Rights, we think our Proprietaries have done wiſely not only to purchaſe their Lands, but to "purchaſe them more than once," as the Governor ſays they have done, rather than have any Difference with them on that Head, or give any Handle to the Enemies of the Province to exaſperate thoſe People againſt us. It appears indeed from the Report, that they could have but a ſlender Foundation for a Claim of Satisfaction for thoſe Lands. We are however convinced, by original Minutes taken by one of the Commiſſioners at the Treaty of *Carliſle*, now lying before us, that the *Shawaneſe* Chiefs mentioned that Claim of theirs to the Lands in Queſtion at that Time, and were promiſed that the Matter ſhould be laid before the Proprietaries. It was after the Public general Buſineſs of the Treaty was over, and was not inſerted in the printed Account of the Treaty, perhaps becauſe it was thought to relate more particularly to the Proprietary than to the Province, and one of the Commiſſioners being himſelf concerned in the Proprietaries Affairs, there was Reaſon to believe he would take Care to get it ſettled; and doubtleſs he would have done ſo, had he not, as appears by the Report, entirely forgot the whole Tranſaction. We are ſorry it was not done, though probably the Inſtigations, preſent Situation and Power of the *French* might have been ſufficient nevertheleſs to have engaged thoſe *Indians* in the War againſt us."

The Governor's Meſſage of Yeſternight, relating to the Congreſs to be held at *New-York*, being again read, and conſidered,

Ordered, That *James Pemberton*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge* and *James Wright* be a Committee to prepare a Draught of an Anſwer to the ſame.

Which being accordingly done, was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Reſolved, That this Houſe will this Afternoon adjourn to the Firſt Day of the Month called *March* next.

The Meſſage to the Governor being tranſcribed, was again read, and follows in theſe Words, *viz.*

A Meſſage to the Governor from the Aſſembly.

May it pleaſe the GOVERNOR,

WE think the preſent Circumſtances of this Province call ſtrongly (as the Governor obſerves) for his Preſence here, and for the whole Authority of the Government.

But

But as the Neceſſity of his attending the Congreſs at *New-York* is beſt known to the Governor, who is acquainted with the Buſineſs there to be conſidered and concluded on, the Particulars of which are not communicated to us, and he can therefore beſt judge whether his Abſence from that Congreſs or from his Province will at this Time be moſt prejudicial to his Majeſty's Service in general; we muſt therefore leave it to his own Judgment and Prudence which Service to prefer. 1755. *December* 3.

But if Commiſſioners appointed by the Governor can in any Degree ſupply his Place at that Congreſs, either in concluding on the Matters propoſed by the Crown, or concerting Meaſures for a general Treaty with the *Indians*, and the Governor ſhould think fit to appoint ſome Gentlemen to that Service, we ſhall have no Objection on account of any reaſonable Expence that may attend it, or that may be neceſſary to be defrayed on the Part of this Government towards the propoſed General Treaty. For as this Province always has been, ſo we ſtill are, ready to join with the neighbouring Colonies in any Treaty with the *Indians*, that may conduce to the general Advantage of the *Britiſh* Intereſt, as well as at our own Charge to make ſuch as tend particularly to our own Peace and Security."

And the ſaid Meſſage, together with the foregoing one relating to the *Shawaneſe*, being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Griffith Owen* and *William Edmonds* wait upon the Governor, and deliver the ſame; and acquaint the Governor, that the Houſe incline to adjourn to the Firſt Day of the Month called *March* next, if he hath no Objection thereto.

The Houſe taking into Conſideration the Governor's Anſwers to the ſeveral Meſſages of the Houſe relating to the Bill for regulating the *Indian* Trade,

Reſolved, That it is the Opinion of this Houſe, that the Governor evades giving any Anſwer, or making any Amendments to the ſaid Bill, as we apprehend by his Anſwer of the Fourteenth of *November* laſt, that it might be tranſcribed and ſent over to the Proprietaries for their Opinion or Aſſent.

Reſolved, That it is the Opinion of this Houſe, that the ſaid Bill is of great Importance in the preſent critical Situation of our Affairs; and the Delay or Refuſal of entering into the Conſideration thereof at this Time, may be attended with very ill Conſequences.

Reſolved, That any ill Conſequences which may attend the Poſtponing the Conſideration of the ſaid Bill at this Time, will not lie at the Door of this Houſe.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Account of the Cloathing, *&c.* ſent to *Albany* for the *New-England* Troops, and others in his Majeſty's Service, in Purſuance of a Vote of the laſt Aſſembly on the Twenty-ninth of *September*, was laid before the Houſe and read, and is as follows, *viz.* *Poſt Meridiem*

1755.	BOUGHT of *Joſeph Morris* 1745 Yards of Halfthicks,					
October 28.	at 2 *s.* 3 *d.* —— ——			£	196	6 3
	Of *William Fiſher* 296 Yards, at 2 *s.* 3 *d.*	£ 33	6 0			
	Of Ditto, 134 Yards of Peniſtones, at 2 *s.* 6 *d.*	16	15 0		50	1 0
November 6.	Of *Frederick Maus* 26 Dozen and an Half of Stockings, at 49 *s.* 6 *d.* —— — —				65	11 9
11.	Of Ditto, 352 Pair Ditto, at 4 *s.* 1 *d. Halfpenny*,				72	12 0
	Of *Daniel Etter* 330 Pair Ditto, at 4 *s.* 2 *d.* —				68	15 0
	And for Horſe-hire, — —				0	10 0
	Of *Alexander Rannald* 332 Pair of Mittens, at 1 *s.* 6 *d.*				24	18 0
Paid	Caſh for Thread, and for making the Waiſtcoats, —				0	6 6
	Ditto for one Caſe (Six being given) large, —				0	10 0
	Ditto for Porterage, Cooperage, and other ſmall Charges,				0	17 6
	Ditto to Taylors and Women, for making the Waiſtcoats (excluſive of what was done *gratis*) —				16	17 $2\frac{1}{2}$
				£	497	5 $2\frac{1}{2}$
	Of the above, paid by the Speaker,	25	4 0			
		75	14 3			
		69	5 0			
				£	170	3 3
	Ditto paid by *B. Franklin*,					
	To *Maus*, for Stockings, —	61	17 6			
	To the Makers of Waiſtcoats,	16	17 $2\frac{1}{2}$			
	For a Caſe, Porterage, *&c.*	1	7 6			
				£	80	2 $2\frac{1}{2}$
				£	250	5 $5\frac{1}{2}$

1755. *December* 3.

The Houſe approved of the foregoing Diſburſements, and

Reſolved, That this Aſſembly will make Proviſion for the Re-payment of the ſame, agreeable to the Minute of the laſt Aſſembly on the Twenty-ninth of *September* laſt.

The Gentlemen appointed to wait upon the Governor with the Meſſages of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he had no Objection to the propoſed Time of Adjournment.

It being moved, that a Number of our Friendly *Indians* are now ſettled at *Coneſtogoe*, and in Want of Neceſſaries for their Subſiſtance,

Reſolved, That this Houſe will allow ſuch reaſonable Expences as the Members for the County of *Lancaſter* ſhall be put to, in maintaining the ſaid *Indians*.

The Report of the Committee on the Petition from *William Moore*, and others, of *Cheſter* County, the Addreſs from *Anthony Morris*, and others, of the People called *Quakers*, and the Repreſentation from *William Plumſted*, and others, of the City of *Philadelphia*, being again read and conſidered;

Reſolved, That the ſaid Report be entered on the Minutes of this Houſe.

And it accordingly follows in theſe Words, *viz.*

Report of the Committee on three Petitions.

THE Committee have conſidered the ſeveral Papers referred to them by the Houſe, and are of Opinion, that though it be the undoubted Right of the Freemen of the Province not only to petition but even to adviſe their Repreſentatives on ſuitable Occaſions, yet their Applications to the Houſe, of whatever Kind, ought to be reſpectful, decent, pertinent, and founded in Truth.

That the Petition from *William Moore*, and Thirty-five others, Inhabitants of *Cheſter* County, dated the Third Inſtant, the Day of our firſt Meeting for Buſineſs after the Election, and before the Houſe had entered on any Buſineſs, as it ſuppoſes that the Houſe keeps up unneceſſary Diſputes with the Governor, when as yet there were none begun; and inſinuates, that the Defence of the Province is neglected by the Aſſembly, and neglected from conſcientious Scruples in the Members, is founded in Miſtake and Miſapprehenſion of Facts and Circumſtances, and ſo far improper to be preſented to the Houſe.

That the Petition, entituled, *An Addreſs of ſome of the People called* Quakers, *in Behalf of themſelves and others*, ſigned by *Anthony Morris*, and Twenty-two others, ſo far as it engages for any more than themſelves, and as it inſinuates that many will be under the Neceſſity of ſuffering, rather than conſenting to the Payment of Money to be raiſed and put into the Hands of Commiſſioners, who may apply it to Purpoſes inconſiſtent with the peaceable Teſtimony they profeſs and have borne to the World, appears to us (however decent the Language may be in reſpect to the Houſe) aſſuming a greater Right than they were inveſted with, and an Indication that they had not duly conſidered what has been heretofore tranſacted in the Aſſemblies of this Province, particularly in relation to the Act for granting *Two Thouſand Pounds* for the Queen's Uſe, paſſed in the Year 1711, and is therefore an unadviſed and indiſcreet Application to the Houſe at this Time.

That the Repreſentation from *William Plumſted*, and One Hundred Thirty-three others, of the *principal Inhabitants*, (as they ſtile themſelves) *a great Part of them* not *Freeholders*, many of them *Strangers* or *obſcure Perſons*, and ſome of them *under Age*, who may be ſuppoſed but imperfectly acquainted with the general Intereſts of the Province, or with the true State of Public Affairs, as it charges the Houſe with not having a proper Concern for the Lives of the People of the Province, and dictates in a haughty peremptory Manner to the Repreſentative Body of the whole People, what Laws to make, and to which the Preference ſhould be given, and threatens to force a Compliance by the Power of Numbers if its Commands are not obeyed, is a Paper extremely preſuming, indecent, inſolent, and improper to be preſented to this Houſe. And we are farther of Opinion, that the Mayor of the City of *Philadelphia*, by becoming a Promoter and Ringleader of ſuch an Inſult on this Part of the Government, and by his Authority, Arts and Influence, drawing in ſo many indiſcreet or unwary Perſons to be Partakers with him therein, when he ought rather to have been careful in preſerving good Order, hath exceedingly miſbehaved himſelf, and failed greatly in the Duty of his Station.

On the Whole, the Committee think that the ſaid Papers ought to be rejected. But whether at a Time, when the Houſe has ſuch weighty and important Affairs under Conſideration, it will be proper to ſpend Time in taking any farther Notice of them, or the Promoters of any of them, is, with the reſt, humbly ſubmitted to the Houſe."

November 14, 1755.

James Pemberton, *William Callender*, *Joſeph Gibbons* and *Peter Worral* diſſent to that Part of the Report which relates to *Anthony Morris*, and others, of the People called *Quakers*.

Then the Houſe adjourned to the Firſt Day of the Month called *March* next.

APPENDIX

APPENDIX to the VOTES *of* ASSEMBLY, *from* November 3, *to* December 3, 1755.

The following is the DRAUGHT *of the prepared* ANSWER *to the* GOVERNOR'S MESSAGE *of the Twenty-ſecond of* November, *relating to the Bill for granting* Sixty Thouſand Pounds *to the King's Uſe, which Anſwer was not ſent up, but laid aſide at that Time for the Reaſons given in the Report of the Committee on ſaid Meſſage.* 1755.

A MESSAGE to the GOVERNOR from the ASSEMBLY.

May it pleaſe the GOVERNOR,

IF, after the Experience we have had of our Governor, we could be aſtoniſhed at any Thing that comes from him, we ſhould be ſo at his Meſſage of the Twenty-ſecond Inſtant, in which, without the leaſt Remorſe or Shame, he ſums up and renews all his former groundleſs Charges and Calumnies againſt the good People of this Province, and their Repreſentatives in Aſſembly, though they have been ſo repeatedly, fully and publicly refuted.

They have been ſo fully refuted, that we think it now needleſs to do more than refer to our former Anſwers of *May* 17, *Auguſt* 8, *Auguſt* 19, *September* 29, *&c. &c.* and relying on the Juſtice of our Cauſe, and the Diſcernment of thoſe who are to judge of it, ſhall not waſte Time in repeating here thoſe Anſwers.

What the Governor tells us of its being the eſtabliſhed Mode for the Crown either to approve or reject the Whole of any Act; and of the Riſk of loſing ſo important an Act on Account of the Clauſe relating to the Taxation of the Proprietaries, appears to us mere Sophiſtry and Amuſement. The Clauſe is a conditional or alternative Clauſe, common in Acts; and whether the Proprietary Eſtate be taxed or exempted, it will truly be, as we have ſaid, in Purſuance of the Act, and by Virtue of the Act itſelf.—In the very ſame Bill is another Clauſe of the ſame alternative Kind, to which the Governor himſelf makes no Objection: It is provided, that in Caſe the four Years Tax falls ſhort of ſinking the *Sixty Thouſand Pounds*, an additional Tax ſhall be laid on the People to make good the Deficiency; and if the Money raiſed exceeds that Sum, the Overplus ſhall be diſpoſed by a future Act. The Governor may as well tell us, that "one Part of this Clauſe cannot "be approved without rejecting the other; for that the People are to ſuffer an additional "Tax if the four yearly Taxes are not ſufficient; but if ſufficient, then they are to be "exempted from any ſuch additional Tax; if they muſt pay the additional Tax, the "Exemption is rejected; and if they are exempted, the Obligation to pay the additional "Tax is rejected; and therefore, to prevent this Perplexity, we ſhould divide this Clauſe "likewiſe into two ſeparate Bills." What Difference there is in the Nature of theſe Clauſes, or in the Form, we cannot conceive, excepting that in one the Proprietary is named, and in the other the People:—In one the Exemption, if any, is to be declared by the Crown; in the other it ariſes from the Sufficiency of the four Years Tax. So that, notwithſtanding all the Duſt the Governor attempts to raiſe, it ſtill appears clear to us, that the Bill we propoſed is entirely free of the Objections he makes to it, and the Mode of ſubmitting to His Majeſty's Determination more proper than that he propoſes, and as ſafe for the reſt of the Bill, as well as for the pretended Rights of the Proprietary; that his Commiſſion has no ſuch Prohibition in it as he affects to find there; and that we cannot admit of Amendments to a Money Bill like this; Amendments not founded in Reaſon, Juſtice or Equity, but in the arbitrary Pleaſure of a Governor, without betraying the Truſt repoſed in us by our Conſtituents, and giving up their juſt Rights as Freeborn Subjects of *England*.

The Governor is pleaſed to tell us, "The Conſtitution of this Province is founded on "certain Royal and Proprietary Charters." It is true, and one of thoſe Charters expreſsly ſays, "That the Aſſemblies of this Province ſhall have Power to chuſe a Speaker, "and other their Officers; and ſhall be Judges of the Qualifications and Elections of "their own Members; ſit upon their own Adjournments; appoint Committees; pre-"pare Bills, in order to paſs into Laws; impeach Criminals, and redreſs Grievances; "and ſhall have ALL OTHER Powers and Privileges of an Aſſembly, according to the "Rights of the Freeborn Subjects of *England*, and as is uſual in ANY of the King's "Plantations in *America*." Theſe very Words are alſo to be found in a Law of the Province, enacted in the Fourth of Queen ANNE, and to this Day in Force. That the "Freeborn Subjects of *England*" have a Right to grant Money by their Repreſentatives in Parliament, in Bills that ſhall ſuffer no Amendment, the Governor does not deny; nor that it is uſual in any of the King's Plantations in *America:* If therefore the Freeborn Subjects of *England* have this Right, we have it by our Charter, and our Laws. And if we had it not by our Charter and Laws, we ſhould nevertheleſs have it; for the Freeborn Subjects of *England* do not loſe their eſſential Rights by removing into the King's Plantations, extending the *Britiſh* Dominions at the Hazard of their Lives and Fortunes, and encreaſing the Power, Wealth and Commerce of their Mother Country; they have, on

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1755. the contrary, particular Privileges juſtly granted and added to their native Rights, for their Encouragement in ſo uſeful and meritorious an Undertaking.

In the Governor's Meſſage of *Auguſt* 12, to the late Aſſembly, he himſelf ſays, that by the Royal Charter the Powers of an Aſſembly were to be *conſonant* to the Laws and Conſtitution of *England*, and would have them confined to that; but now he tells us, that our Conſtitution is *no way ſimilar* to that of *England*. We think, however, that it will appear by the expreſſed as well as implied Powers of an Aſſembly in the *above Extract* from our Charter and Laws, that our Houſe of Repreſentatives is far from being *no way ſimilar* to a *Britiſh* Houſe of Commons in its Form and Conſtitution, whatever it may be in the Knowledge, Abilities and Dignity of its Members. In one Thing, indeed, it is our Misfortune, that our Conſtitution differs from that of *England*. The King has a natural Connection with his Subjects. The Crown deſcends to his Poſterity; and the more his People proſper and flouriſh, the greater is the Power, Wealth, Strength and Security of his Family and Deſcendants. But Plantation Governors are frequently tranſient Perſons, of broken Fortunes, greedy of Money, without any Regard to the People, or natural Concern for their Intereſts, often their Enemies, and endeavouring not only to oppreſs but defame them, and render them obnoxious to their Sovereign, and odious to their Fellow-Subjects.—Our preſent Governor not only denies us the Privileges of an *Engliſh* Conſtitution, but would, as far as in his Power, introduce a *French* one, by reducing our Aſſemblies to the Inſignificance of their Parliaments, incapable of making Laws, but by Direction, or of qualifying their own Gifts and Grants, and only allowed to regiſter his Edicts. He would even introduce a worſe; he requires us to defend our Country, but will not permit us to raiſe the Means, unleſs we will give up ſome of thoſe Liberties that make the Country worth defending; this is demanding *Brick without Straw*, and is ſo far *ſimilar* to the *Egyptian* Conſtitution. He has got us indeed into *ſimilar* Circumſtances with the poor *Egyptians*, and takes the ſame Advantage of our Diſtreſs; for as they were to periſh by Famine, ſo he tells us we muſt by the Sword, unleſs we will become Servants to our *Pharaoh*, and make him an *abſolute Lord*, as he is pleaſed to ſtile himſelf *abſolute Proprietary*.

We agree with the Governor, that the being born or bred in any Country does not neceſſarily ſecure the Affections or Eſteem of the People of that Country to the Perſon, nor the Affection of the Perſon to the Country. The Governor himſelf may be an Inſtance of both Caſes. He was born, it is true, in a neighbouring Province; but, it is ſaid, he has never ſhewn more Love for his own Country than he has for ours; and that the People there place him very little higher in their Eſteem than we do.——We think the Governor can make no Compariſon of himſelf with his immediate Predeceſſor that will not be to his own Diſadvantage. Whatever Differences our Aſſemblies had with that Gentleman, they were ſmall compared with thoſe that now ſubſiſt, and he conducted them with a Degree of Tenderneſs for his Country. But how much ſoever the People were at that Time diſſatisfied with ſome Particulars in his Adminiſtration, we acknowledge that our preſent Governor has given us abundant Reaſon to regret the Change.

" Upon the Whole (the Governor is pleaſed to ſay) it appears clear to me, that you " never intended any of your Bills ſhould paſs for raiſing Money to defend the Province;" and this, he adds, " ſeems now to be placed beyond Diſpute, ſince thoſe People, under " whoſe Influence you are chiefly known to be, *are ſaid* to have declared publicly to you " that they would ſooner ſuffer than pay towards ſuch Purpoſes." Not to mention the Unfairneſs of aſcribing to a whole People the Indiſcretion of a Petition from a very few Perſons, the Governor himſelf muſt own, that we are not under the Influence he ſuppoſes, when we aſſure him, as we can truly, that there were ſeveral more Votes for the Meaſure oppoſed by that Petition after receiving it than before.——But however inconſiſtently the Governor can charge us with taking Advantage of the People's (that is our own) Diſtreſs, to arrogate Powers which we ought not to have; and however uncharitably he may judge of our Intentions, we can with humble Confidence appeal to a more upright and more diſcerning Judge, the Searcher of all Hearts, that our Intentions correſponded perfectly with our Actions, and that we ſincerely deſired, and intended, to give the Money we offered.

What thoſe " many other Ways of granting Money " are, " to which the Governor " has no Objection," we muſt own ourſelves totally ignorant; as well as what the other Bill may be " that he ſhall think conſiſtent with his Duty to paſs." He thinks it inconſiſtent with his Duty to paſs any Bill contrary to his Inſtructions from the Proprietary, and thoſe (like the Inſtructions of the Preſident and Council of the North, mentioned by Lord *Coke*, IVth Inſt. P. 246) are to us impenetrable Secrets. That great Lawyer's Remark on Governing by ſuch Inſtructions, is truly juſt, *viz. Miſera eſt Servitus, ubi Jus eſt vagum aut incognitum*. Wretched is the Slavery, where Law is either uncertain or unknown. It is vain for us therefore to look out for other Ways of raiſing Money, or to form other Bills: Here we muſt reſt till his Majeſty ſhall graciouſly pleaſe to relieve us; ſince with the Governor we can no otherwiſe hope to end our unhappy Diſputes, than by ſubmitting to one Part or the other of the miſerable Alternative he mentions, either not to have a " Privilege worth diſputing about, or be deprived of a Country to diſpute it in."

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THE Repreſentatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe met accordingly. 1756. *February* 3. *Poſt Meridiem*

Ordered, That *Joſeph Fox* and *William Callender* wait upon the Governor, and acquaint him, that the Houſe are met, and ready to receive any Thing he may have to lay before them, and deſire he would be pleaſed to furniſh them with a Copy of the Writs by which they were ſummoned.

It being moved, that the Clerk of this Houſe would be neceſſarily abſent for ſome Days, with *Benjamin Franklin*, one of the Commiſſioners for diſpoſing of the *Sixty Thouſand Pounds*, granted to the King's Uſe, who is at this Time on the Frontiers, his Abſence was excuſed.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor, with the Meſſage of Yeſternight, report, that they delivered the ſame according to Order, and that the Governor was pleaſed to ſay, that he ſhould ſend a Meſſage to the Houſe this Morning, and as what he ſhould communicate to them was of great Importance, they might, if they thought proper, either immediately proceed upon the Conſideration of it, or wait till there ſhould be a fuller Houſe; and that he ſhould ſend down a Copy of the Writs by which the Houſe were ſummoned. *February* 4.

A Letter from *John Armſtrong*, dated at *York*, *January* 30, 1756, to *John* and *James Wright*, incloſing ſundry Letters from *Carliſle*, dated the 28th and 29th of laſt Month, giving an Account of divers Perſons being murdered and ſcalped, and others taken Priſoners, by the *Indians*, at the Settlements on *Juniata*, were laid before the Houſe and read.

The Houſe ſat till after One o'Clock, and not hearing from the Governor, adjourned till Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Governor, by the Secretary, ſent down to the Houſe a Copy of the Writs by which the Houſe was ſummoned, alſo a Meſſage in Writing, with ſundry Papers therein referred to, ſome of which he ſaid contained Matters that were in their Nature ſecret, and which the Governor deſired might be kept as ſuch by the Houſe.

The Meſſage from the Governor was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'AS the Seaſon for Military Preparations is far advanced, I judged it neceſſary, as ſoon as the Buſineſs I was engaged in with the Commiſſioners upon the Frontiers would admit of my Attendance in Town, to call you together to conſider of the Plan of Operations concerted in the late Council of War at *New-York*, for the Security of his Majeſty's Dominions on this Continent. I have directed the Secretary to lay the Plan before you, but as it is in its Nature ſecret, and the Execution of it may in ſome Meaſure be fruſtrated, if it ſhould be divulged, I muſt recommend it to you not to ſuffer any Part of it to tranſpire.

'The many Encroachments made by the *French* upon his Majeſty's Territories, contrary to the Faith of Treaties, and in the Times of profound Peace; the Meaſures they have taken to ſecure the Poſſeſſion of the Countries they have ſeized, and to diſturb us in the Enjoyment of the narrow Limits which they would preſcribe to us, ſufficiently ſhew what we are to expect from thoſe reſtleſs and ambitious People, if we do not, by a united, vigorous and ſteady Exertion of our Strength, diſlodge them from thoſe Encroachments, and confine them within their own juſt Bounds: And this I am perſuaded you will find the beſt and moſt effectual Way of ſecuring the Inhabitants of this and the other Colonies againſt the cruel Inſults of them and their ſavage Allies.——I muſt therefore recommend it to you, to grant ſuch Supplies as may enable me to furniſh what is expected from this Province towards the general Service. As you are ſenſible our Succeſs will very much depend upon our being early in Motion, I make no Doubt you will uſe the greateſt Diligence and Diſpatch in whatever Meaſures your Zeal for the Public Cauſe may induce you to take upon the preſent Occaſion.

'Since the laſt Seſſion, every Thing has been done that the Time would admit for the Defence and Security of the Province, and I have the Satisfaction to tell you, that a Chain of Forts and Block-houſes, extending from the River *Delaware*, along the *Kittatinny* Hills, to the *Maryland* Line, is now almoſt complete. They are placed at convenient Diſtances from each other, and at the moſt important Paſſes through the Mountains, and are garriſoned with Companies and Detachments, all in the Pay of the Province, from Seventy-five to Twenty Men each, according to the Situation and Importance of the Places; and if the Officers and Men, poſted there, do their Duty, I believe they will prove a ſufficient Protection to the Inhabitants againſt ſuch Parties as have hitherto appeared upon our Borders.

'I have alſo directed the Secretary to lay before you the Minutes of the ſeveral Conferences held with the *Indians* at *Carliſle*, and other Papers relating to *Indian* Affairs;

1756. February 4. ‘ together with a Letter I lately received from *Scarroyady*, and *Andrew Montour*, who ‘ were ſent by me on a Meſſage from this Government to the *Six Nations*, and to the ‘ *Indians* living on the *Suſquehanna*, by which it appears that the Bulk of the *Indians* on ‘ that River are in the *French* Intereſt, and ſeem determined not to hearken to any Thing ‘ the *Six Nations* may ſay to them in our Behalf. The Heads of theſe Nations have ‘ been convened by the timely Care and Orders of General *Shirley*, and are now met in ‘ Council to treat on theſe and other Matters. I am informed they greatly diſapprove ‘ of the Conduct of the *Delawares* and *Shawaneſe*, and ſeem inclinable to chaſtiſe them ‘ for taking up the Hatchet againſt us; and I am in great Hopes that the Warmth with ‘ which General *Shirley* hath recommended this Matter to them, may induce them to ‘ act vigorouſly for us on this Occaſion.

Philadelphia, February 4, 1756. *ROBERT HUNTER MORRIS.*”

Part of the Papers ſent down with the foregoing Meſſage were read, and the Remainder was referred to To-morrow Morning.

Ordered, That the ſaid Papers be lodged in the Hands of the Speaker; and that the Members be careful not to divulge any Part of the Contents of them.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 5. The Governor's Meſſage of Yeſternight was again read, and conſidered, with the Papers therein referred to, which are ſeverally entituled as follow, *viz.*

Copy of Minutes of Council held at Carliſle, Lancaſter, &c. January 1756, *and Treaty with the* Indians *at* Carliſle, &c.

Copy of General Shirley's *Letter to Major General* Johnſon, *dated* New-York, December 7, 1755.

Copy of the Speech of General Shirley *to the* Indians *of the* Six Nations.

Inſtructions from Governor Morris *to* Scarroyady, *and* Andrew Montour, *containing his Speech to the* Six Nations, November 13, 1755.

Copy of a Letter from Scarroyady *and* Andrew Montour *to Governor* Morris, *dated* Onotiquage, January 4*th and* 5*th*, 1756.

Copy of Minutes of Council of War held at New-York, December 12, 1755.

Proportion of the 10,000 *Men propoſed to be raiſed for the* Crown-Point *Expedition.*

General Shirley's *Propoſals for Meaſures to be taken by the Weſtern Governments, from* Pennſylvania *to* South-Carolina, *incluſive.*

Letter from Governor Dinwiddie *to Governor* Morris, *dated* Williamſburg, January 2, 1756.

Letter from Governor Hardy *to Governor* Morris, *dated* New-York, January 12, 1756.

Letter from Governor Sharpe *to Governor* Morris, *dated* Annapolis, January 24, 1756.

A Petition from ſundry Inhabitants of *Weſt-Caln* Townſhip, in the County of *Cheſter*, repreſenting the great Abuſes committed by Perſons who retail ſpirituous Liquors without Licence, tending to the Corruption of Youth, Servants and others, and praying for a more effectual Law to prevent the ſame, was preſented to the Houſe and read, and

Ordered to lie on the Table.

Adjournment *Poſt. Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor's Meſſage was again read, and conſidered, together with ſeveral Papers therein referred to, and, after ſome Time ſpent therein, the further Conſideration thereof was referred to To-morrow Morning.

An Account from *Hannah Boyd*, for Entertainment and Neceſſaries ſupplied to *Andrew Montour's* Wife and Children, was laid before the Houſe and read, and referred to the Committee of Accounts.

An Account from the Overſeers of the Poor of the City of *Philadelphia*, for the Maintenance of ſundry Soldiers Wives and Children, belonging to the late General *Braddock's* Army (by which it appeared, that the ſaid Overſeers had paid on the above Account the Sum of *One Hundred* and *Twenty Pounds Twelve Shillings* and *Ten-pence Halfpenny*, for which they pray an Allowance of *Ten per Cent* Commiſſion; and that there was a Balance of *Eight Pounds Eight Shillings*, in their Hands due to the Province) was laid before the Houſe and read, and referred to the Committee of Accounts.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 6. The Houſe reſumed the Conſideration of the Governor's Meſſage, and it being obſerved, that the Letter from Governor *Hardy*, ſent down with the ſaid Meſſage, mentioned an Information which General *Johnſon* had received from a Smith reſiding among the *Senecas*, of that Nation's complaining that ſome of their Warriors were killed and ſcalped by our Inhabitants at *Conewago*, in this Province.

Ordered, That *Joſeph Fox* and *John Hughes* wait upon the Governor, and requeſt he would inform the Houſe if he hath made Enquiry whether there be any Grounds for the ſaid Complaint of the *Senecas*, and that he would be pleaſed to furniſh the Houſe with a Copy of his Anſwer to Governor *Hardy* thereupon.

The

1756. *February* 6.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that upon the Receipt of the Letter from Governor *Hardy* he communicated the ſame to the Council, and alſo wrote a Letter to *Conrad Weiſer* to make Enquiry of the *Indians* remaining in this Province, eſpecially among the *Senecas*, and to take every other Method in his Power to inform himſelf what Foundation there is for the ſaid Complaint, from whom he had as yet received no Anſwer; but that he would furniſh the Houſe with a Copy of his Anſwer to Governor *Hardy* alſo of what he wrote to General *Johnſon* upon that Head, as ſoon as he could get them tranſcribed.

The Gentlemen alſo brought down from the Governor, a Letter from the Governor of *New-York*, dated *January* 30, 1756, with a Copy of ſundry Reſolves of the Aſſembly of that Colony, on the Twenty-eighth of *January*, 1756, which were read, and ordered to lie on the Table for the Peruſal of the Members.

Then the Houſe adjourned to Three o'Clock, *P. M.*

Adjournment

Adjournment *Poſt Meridiem*

John Smith, returned a Repreſentative for the County of *Cumberland*, appearing in the Houſe, took and ſubſcribed the Qualification by Law appointed to be taken by Members of Aſſembly, and then took his Seat in the Houſe accordingly.

The Houſe again reſumed the Conſideration of the Governor's Meſſage, and, after a conſiderable Time ſpent therein, the ſame was referred to farther Conſideration.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *February* 7.

A Petition from ſundry Inhabitants of the City of *Philadelphia*, and other Parts of the Province, was preſented to the Houſe and read, and follows in theſe Words, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of *Pennſylvania*, in ASSEMBLY met,

The PETITION of ſundry of the Inhabitants of the ſaid Province.

Humbly ſheweth,

Petition concerning Servants and Apprentices.

THAT by the Laws of our Mother Country, and this Province, every Maſter and Owner of Apprentices and Servants, has an undoubted Right to the Labour and Service of the former, and a juſt and legal Property in the latter, ſuch as he cannot, or ought not to be deprived of, but by an impartial Hearing and fair Trial by the Laws of his Country: That upon the Labour and Service of theſe Servants and Apprentices depends not only the Carrying on of our reſpective Trades, and the Cultivation of our Lands, but alſo the Subſiſtence and Support of the Families of many of the Inhabitants of this Province: That ſuch are the preſent Circumſtances of this Colony, that the Inhabitants being deprived of the Labour and Service of their Servants, cannot, by any Poſſibility, ſupply themſelves with Perſons to carry on their Trades and Buſineſſes, ſo abſolutely neceſſary for their own Subſiſtence and the Public Utility: That notwithſtanding this inconteſtable Right of the Maſters and Owners of Apprentices and Servants, the Servants and Apprentices of your Petitioners, and of many others the Inhabitants of this Province, have been unjuſtly and illegally taken, and yet are detained from us by certain Recruiting Officers, under a Pretence of inliſting them as Volunteers into his Majeſty's Service: That this is a growing and increaſing Miſchief, the ſaid Officers continuing daily to inliſt, take and detain, all Servants and Apprentices that they can find or procure: That your Petitioners humbly conceive, that theſe Practices are greatly oppreſſive to Individuals, preventive of the Cultivation of our Lands, deſtructive to our Trade, introductive of Beggary and Want among the poorer Sort of People, againſt the Laws of our Mother Country and this Conſtitution, and directly inconſiſtent with the Rights and Privileges of a free People. Therefore your Petitioners, in Behalf of themſelves, and others the Inhabitants of this Province, in this Particular aggrieved, intreat their Repreſentatives, in Aſſembly met, to take theſe unconſtitutional and arbitrary Invaſions of our Rights and Properties into their prudent Conſideration, to enquire into our Aggrievances, and adminiſter ſuch Relief in the Premiſes, as to them in their Wiſdom ſhall ſeem moſt convenient; and your Petitioners, *&c.*"

Ordered to lie on the Table.

An Account from *John M'Dowell*, for Sundries furniſhed the Road-Cutters; alſo ſeveral other Accounts relating to the *Ohio* Road, were laid before the Houſe and read, and referred to the Committee of Accounts.

The Governor's Meſſage was again read, and conſidered.

The Houſe taking the Petition relating to the Inliſtment of Servants and Apprentices into Conſideration,

Ordered, That *Richard Pearn*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſhbridge*, *James Wright*, *John Wright*, *John Smith*, *Francis Parvin* and *William Edmonds* be a Committee to prepare a Draught of an Addreſs to the Governor, repreſenting the great Inconveniences and Hardſhips the Inhabitants of this Province labour under by Reaſon of the Inliſtment of Servants.

Then

1756.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.*

February 9. *Poſt Meridiem* The Houſe met, according to their Adjournment.

Sundry Letters from the Agents were laid before the Houſe by the Committee of Correſpondence, and read, and ordered to lie on the Table for the Peruſal of the Members.

The Committee appointed to prepare a Draught of an Addreſs to the Governor, reported, that they had made ſome Progreſs therein, and ſhould be ready to report the ſame ſome Time To-morrow.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 10. The Committee not being ready to report the Draught of an Addreſs to the Governor, relating to the Inliſtment of Servants, the ſame was referred to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Committee appointed to prepare a Draught of an Addreſs to the Governor, relating to the Inliſtment of Servants, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

An Account from *Samuel Neave*, for Goods delivered to *Conrad Weiſer* for the Uſe of the *Indians*, amounting to *Sixty-ſix Pounds Twelve Shillings* and *Nine-pence*, was laid before the Houſe and read, and referred to the Committee of Accounts.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 11. The Addreſs to the Governor being tranſcribed, was again read, and is as follows, *viz.*

To the Honourable *ROBERT HUNTER MORRIS*, Eſq; Lieutenant Governor of the Province of *Pennſylvania*, *&c.*

The ADDRESS of the REPRESENTATIVES *of the Freemen of the ſaid Province in* GENERAL ASSEMBLY *met.*

May it pleaſe the GOVERNOR,

Aſſembly's Addreſs to the Governor about Servants.

THE Houſe being informed, by Petition from the Maſters, that a great Number of bought Servants are lately inliſted by the Recruiting Officers now in this Province, and clandeſtinely or by open Force conveyed away, to the very great Oppreſſion of the ſaid Maſters, and Injury to the Province; we beg Leave to lay this Grievance before the Governor.

We preſume, that no one Colony on the Continent has afforded more free Recruits to the King's Forces than *Pennſylvania*; Men have been raiſed here in great Numbers for *Shirley's* and *Pepperell's* Regiments, for *Halket's* and *Dunbar's*, for the *New-York* and *Carolina* Independent Companies, for *Nova-Scotia*, and even for the *Weſt-India* Iſlands. By this, and the Neceſſity we are under of keeping up a large Body of Men to defend our own extenſive Frontiers, we are drained of our hired Labourers; and as this Province has but few Slaves, we are now obliged to depend principally upon our Servants to aſſiſt us in tilling our Lands. If theſe are taken from us, we are at a Loſs to conceive how the Proviſions that may be expected out of this Province another Year, for the Support of the King's Armies, are to be raiſed.

We conceive, that this Province could not poſſibly have furniſhed the great Numbers of Men and Quantity of Proviſions it has done for the King's Service, had it not been for our conſtant Practice of importing and purchaſing Servants to aſſiſt us in our Labour. Many of theſe, when they become free, ſettle among us, raiſe Families, add to the Number of our People, and cultivate more Land; and many others who do not ſo ſettle are ready and fit to take Arms when the Crown calls for Soldiers. But if the Poſſeſſion of a bought Servant, after Purchaſe made, is thus rendered precarious, and he may at any Time be taken away from his Maſter at the Pleaſure of a Recruiting Officer, perhaps when moſt wanted, in the Midſt of Harveſt or of Seed-time, or in any other Hurry of Buſineſs, when another cannot be provided to ſupply his Place, the Purchaſe, and of Courſe the Importation, of Servants will be diſcouraged, and the People driven to the Neceſſity of providing themſelves with *Negro* Slaves, as the Property in them and their Service ſeems at preſent more ſecure. Thus the Growth of the Country by Increaſe of white Inhabitants will be prevented, the Province weakened rather than ſtrengthened (as every Slave may be reckoned a domeſtick Enemy) one great and conſtant Source of Recruits be in a great Meaſure cut off, and *Pennſylvania* ſoon be unable to afford more Men for the King's Service, than the Slave Colonies now do.

The Injury complained of extends not only to thoſe whoſe Servants are actually inliſted, but even to thoſe whoſe Servants are not inliſted; ſince they muſt humour them in every Thing, leſt they ſhould be provoked to inliſt, which they daily threaten in Caſe they are diſobliged; and grow idle, neglectful, inſolent and mutinous, and occaſion many Diſorders in the Families they belong to. Beſides, while this Practice continues, many leave their Maſters on Pretence of going to inliſt, and not being purſued, as their Maſters are diſcouraged by the Difficulty of recovering them, they often go quite off without inliſting, ſo that the Maſter is injured, and no Service ariſes to the King.

The

That Burdens may be chearfully borne by the Subject for the Honour of the Prince, or the Public Welfare, we apprehend they ought to be equitably laid. But this Inlisting of Servants is a most severe, unequal and oppressive Tax on Particulars, often falling on People in low Circumstances, who have been put to great Difficulties in raising Money to buy a Servant or two to assist in working their Plantations; and losing those Servants, they are unable to buy others: Or, if they have bought them on Credit, are unable to pay, sued for the Money, and ruined. 1756. *February* 11.

We beg Leave farther to add, that we conceive the Inhabitants of this Province have a legal Property in the Time and Service of the Servants brought into *America*, and purchased here under Acts of Parliament, or becoming Servants by our own Laws. That they have as true and as just a Property in the Servant bought, as they had before in the Money with which he was purchased. That the taking the Servants from us, either by open Force or private Practice, is a Violation of that Property and our Rights, a manifest and grievous Injustice and Oppression. And that the Magistrates, who have refused to assist the Masters with the Civil Authority in recovering their Servants, have egregiously failed in Point of Duty.

We therefore request the Governor, that he would be pleased to acquaint General *Shirley* with these Proceedings of the Officers under his Command. We know the Practice is contrary to his Judgment, having now before us his Disapprobation of it, expressed in very strong Terms, under his Hand, of which we send a Copy herewith to the Governor. We have therefore great Reason to hope, that, at the Governor's Instance, he will do the People of this Province strict Justice, by causing an immediate Restitution to be made of all the Servants taken from us under Colour of his Authority; and effectually discourage the Practice for the future.

We farther request, that the Governor would issue his Proclamation, strictly charging all Magistrates and Officers, Civil and Military, to be aiding and assisting to the Inhabitants in securing or recovering their Servants when any Attempts shall be made to take them away."

And the same being signed by the Speaker, by Order of the House,

Ordered, That *Joseph Stretch*, *Joseph Fox*, *Griffith Owen*, *Thomas Cummings*, *James Webb*, *John Wright*, *Joseph Armstrong* and *William Edmonds* wait upon the Governor, and deliver the same, together with the following Extract from Major General *Shirley's* Letter to Colonel *Thomas Dunbar*; dated from the Camp at *Oswego*, *September* 19, 1755, *viz.*

UPON the Advices I have received since my last to you from Gentlemen of the greatest Zeal for his Majesty's Service, as well as the best Judges of it, in *Pennsylvania* and the other Western Colonies, I am convinced, that the Inlisting of Apprentices and indented Servants there will greatly disserve his Interest, as well as be, in most Cases, grievous to the Subject; and would therefore recommend it to you, in the strongest Manner, to avoid doing it: It is what I have observed most strictly in recruiting for my own Regiment, not only within my own Government, but in all the other Colonies where my Officers have been sent upon that Service; and I desire you will order the Officers of your own and the late Sir *Peter Halket's* Regiments, as also those of the Independent Companies, to do the same in their Recruiting." Extract from General *Shirley's* Letter.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor with the Address of the House, report, that they had delivered the same according to Order. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Representation from *John Baptiste Galerm*, one of the *French* Neutrals now in this Province, setting forth the Case of the said Neutrals, was laid before the House and read, and is as follows, *viz.* *February* 12.

To the Honourable the ASSEMBLY of the Province of *Pennsylvania*.

The CASE of the French *Neutrals, lately arrived, and now in the said Province, humbly represented by* John Baptiste Galerm, *one of the said People.*

ABOUT the Year 1713, when *Annapolis Royal* was taken from the *French*, our Fathers being then settled on the Bay of *Fundy*, upon the Surrender of that Country to the *English*, had, by Virtue of the Treaty of *Utrecht*, one Year granted them to remove with their Effects; but not being willing to lose the Fruit of so many Years Labour, they chose rather to remain there, and become Subjects of *Great-Britain*, on Condition that they might be exempted from bearing Arms against *France* (as most of them having near Relations and Friends amongst the *French*, which they might have destroyed with their own Hands, had they consented to bear Arms against them). This Request they always understood to be granted, on their taking the Oath of Fidelity to her late Majesty Queen ANNE; which Oath of Fidelity was by us, about Twenty-seven Years ago, renewed to his Majesty King GEORGE by General *Philipse*, who then allowed us an Case of the *French* Neutrals.

1756. *Ferbuary* 12. Exemption of bearing Arms againſt *France*; which Exemption, till lately, when we were told to the contrary, we always thought was approved of by the King. Our Oath of Fidelity, we that are brought into this Province, as well as thoſe who are carried into the neighbouring Provinces, have always inviolably obſerved, and have, on all Occaſions, been willing to afford all the Aſſiſtance in our Power to his Majeſty's Governors in erecting Forts, making Roads, Bridges, *&c.* and providing Proviſions for his Majeſty's Service, as is known to the ſeveral Governors and Officers that have commanded in his Majeſty's Province of *Nova-Scotia*; and this notwithſtanding the repeated Solicitations, Threats and Abuſes which we have continually more or leſs ſuffered from the *French* and the *French Indians* of *Canada* on that Account; particularly about Ten Years ago, when Five Hundred *French* came to our Settlements, intending to attack *Annapolis Royal*, which, had their Intention ſucceeded, might have made them Maſters of all *Nova-Scotia*, it being the only Place of Strength then in that Province, they earneſtly ſolicited us to join with and aid them therein, but we perſiſting in our Reſolutions of abiding true to our Oath of Fidelity, and abſolutely refuſing to give them any Aſſiſtance, they gave over their Intention, and returned to *Canada*. And about Seven Years paſt, at the Settling of *Halifax*, a Body of One Hundred and Fifty *Indians* came amongſt us, forced ſome of us from our Habitations, and by Threats and Blows would have compelled us to aſſiſt them in way-laying and deſtroying the *Engliſh* then employed in erecting Forts in different Parts of the Country, but we poſitively refuſing, they left us, after having abuſed us, and made great Havock of our Cattle, *&c.* I myſelf was Six Weeks before I wholly recovered from the Blows I received from them at that Time. Almoſt numberleſs are the Inſtances which might be given of the Abuſes and Loſſes we have undergone from the *French Indians* on account of our ſteady Adherence to our Oath of Fidelity. And yet, notwithſtanding our ſtrict Obſervance thereof, we have not been able to prevent the grievous Calamity which is now come upon us, and which we apprehend to be in a great Meaſure owing to the unhappy Situation and Conduct of ſome of our People ſettled at *Chignecto*, at the Bottom of the Bay of *Fundy*, where the *French*, about Four Years ago, erected a Fort; thoſe who were ſettled near it, after having had many of their Settlements burnt by the *French*, being too far from *Halifax* and *Annapolis Royal* to expect ſufficient Aſſiſtance from the *Engliſh*, were obliged, as we believe, more through Compulſion and Fear than Inclination, to join with and aſſiſt the *French*; which alſo appears from the Articles of Capitulation agreed on between Colonel *Monckton* and the *French* Commander, at the Delivery of the ſaid Fort to the *Engliſh*, which are expreſsly in the following Words:

* *Gentleman's Magazine* for *July*, 1755, Page 332.

"* With regard to the *Acadians*, as they have been forced to take up Arms on Pain of "Death, they ſhall be pardoned for the Part they have been taking."

Notwithſtanding this, as theſe People's Conduct had given juſt Umbrage to the Government, and created Suſpicions, to the Prejudice of our whole Community, we were ſummoned to appear before the Governor and Council at *Halifax*, where we were required to take the Oath of Allegiance, without any Exception, which we could not comply with, becauſe, as that Government is at preſent ſituated, we apprehend we ſhould have been obliged to take up Arms; but were ſtill willing to take the Oath of Fidelity, and give the ſtrongeſt Aſſurances of continuing peaceable and faithful to his *Britannic* Majeſty, with that Exception. But this, in the preſent Situation of Affairs, not being ſatisfactory, we were made Priſoners, and our Eſtates, both Real and Perſonal, forfeited for the King's Uſe; and Veſſels being provided, we were ſome Time after ſent off, with moſt of our Families, and diſperſed among the *Engliſh* Colonies. The Hurry and Confuſion in which we were imbarked, was an aggravating Circumſtance attending our Misfortunes; for thereby many, who had lived in Affluence, found themſelves deprived of every Neceſſary, and many Families were ſeparated, Parents from Children, and Children from Parents. Yet, bleſſed be GOD, that it was our Lot to be ſent to *Pennſylvania*, where our Wants have been relieved, and we have in every Reſpect been received with Chriſtian Benevolence and Charity. And let me add, that notwithſtanding the Suſpicions and Fears which many here are poſſeſſed of on our account, as though we were a dangerous People, who make little Scruple of breaking their Oaths, Time will manifeſt that we are not ſuch a People: No, the unhappy Situation which we are now in, is a plain Evidence that this is a falſe Charge, tending to aggravate the Misfortunes of an already too unhappy People; for had we entertained ſuch pernicious Sentiments, we might eaſily have prevented our falling into the melancholly Circumſtances we are now in, *viz.* Deprived of our Subſtance, baniſhed from our native Country, and reduced to live by Charity in a ſtrange Land; and this for refuſing to take an Oath, which we are firmly perſuaded Chriſtianity abſolutely forbids us to violate, had we once taken it, and yet an Oath which we could not comply with, without being expoſed to plunge our Swords in the Breaſts of our near Friends and Relations. We ſhall, however, as we have hitherto done, ſubmit to what in the preſent Situation of Affairs may ſeem neceſſary, and with Patience and Reſignation bear whatever GOD, in the Courſe of his Providence, ſhall ſuffer to come

upon

upon us. We shall also think it our Duty to seek and promote the Peace of the Country in which we are transported, and inviolably keep the Oath of Fidelity that we have taken to his gracious Majesty King GEORGE, whom we firmly believe, when fully acquainted with our Faithfulness and Sufferings, will commiserate our unhappy Condition, and order that some Compensation be made us for our Losses. 1756. February 12.

And may the Almighty abundantly bless his Honour the Governor, and you the Honourable Assembly of the Province, and the good People of *Philadelphia*, whose Sympathy, Benevolence and Christian Charity have been, and still are, greatly manifested and extended towards us a poor distressed and afflicted People, is the sincere and earnest Prayer of JOHN BAPTISTE GALERM."

A List of the Names and Families of the said Neutrals was likewise laid before the House and read.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Case of the *French* Neutrals was again read, and considered, and, after some Time spent therein, *Post Meridiem*

Ordered, That *James Pemberton*, *William Callender*, *Joseph Hamton*, *George Ashbridge* and *James Wright* be a Committee to prepare a Bill for dispersing the said Neutrals into the several Counties of *Philadelphia*, *Bucks*, *Chester* and *Lancaster*, and the Townships thereof.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee of Accounts reported on an Account from *John Harris*, of *Peckstone*, *February* 13. which was laid before the House on the Eighteenth of *November* last, that they were of Opinion the same ought to be allowed, amounting to *Ten Pounds Nine Shillings* and *Two-pence*.

To which Report the House agreed.

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

A Petition from sundry Persons in *Lancaster* County, representing that they had for some Time past kept a Watch on the Frontiers of said County at their own Expence, and praying to be reimbursed by this House; also

A Petition from sundry Inhabitants of the *Great Cove*, in *Cumberland* County, praying for Assistance in their present distressed Circumstances, were presented to the House and read, and recommended to the Consideration of the Commissioners for disposing of the *Sixty Thousand Pounds* granted to the King's Use.

Then the House adjourned to Three o'Clock in the Afternoon. Adjournment

The Governor, by *William Peters*, Esq; sent down to the House a Message in Writing, *Post Meridiem* with a Paper therein referred to, which were read, and are as follow, *viz.*

GENTLEMEN,

'I AGREE with you, that the Inlisting indented Servants is a great Hardship, and an unequal Burden upon the Inhabitants of this Province, and heartily wish, that some other effectual Method had been taken to complete the Regiments employed upon this Continent, which is a Matter of great Importance at this critical Conjuncture. A Message from the Governor to the Assembly.

'When the Recruiting Officers first began to inlist Servants in this City, the Council, while I was upon the Frontier, wrote a Letter to General *Shirley* upon the Head, setting forth the particular Injury it would be to this Province, and desiring his Interposition, a Copy of which Letter I have ordered to be laid before you, and I shall immediately write to him on the same Subject, and send him a Copy of your Address, in which the many Inconveniences attending the taking away of Servants are strongly set forth.

'His Majesty has ordered the Regiments now employed in *America* to be augmented, and recruited in these Colonies; and General *Shirley*, by a late Order, has countermanded the One he formerly gave to Colonel *Dunbar*, forbidding the Inlisting of Servants and Apprentices; and the Officers think it their Duty to take all Volunteers that offer, without considering whether they are Servants or not.

'Whether the Crown has such a Right to the personal Service of its Subjects as cannot be abridged or taken away by any private Contracts, or whether a Servant regularly indented and imported into the Colonies, under an Act of Parliament, is not by such Indenture deprived of the Power of becoming a Volunteer in his Majesty's Service, are Points of Law that you are sensible have been controverted in this Province ever since the Beginning of the late *Spanish* War, and have never to my Knowledge received an authoritative Determination; and as the Rights of the Crown, as well as the Property of the Subject, will be greatly affected by a Determination of those Points, I cannot take upon me to do it by issuing the Proclamation you propose, which will be extrajudicial, and by no Means obligatory on the Persons concerned.

'You

1756. *February* 13.

'You will permit me to obſerve, that though the Magiſtrates may be appointed by 'the Government, yet they receive their Authority from the Law, which muſt be the 'Rule and Meaſure of their Conduct; and a Proclamation in the preſent Caſe cannot 'create or veſt any new Powers in them. If they refuſe or neglect to do the Duties re-'quired by Law, there is a Court in the Province has Power to puniſh them, for ſuch 'Neglect or Refuſal; and if any Subject is or thinks himſelf injured, the Law and Courts 'are open, to which he may apply, where his Right, and that of the Crown, will be 'properly conſidered and determined in the ordinary Courſe of the Law.

Philadelphia, February 13, 1756. *ROBERT HUNTER MORRIS.*"

A LETTER from the Preſident *and* Council *to General* SHIRLEY.

Honoured Sir,

President and Council's Letter to General *Shirley*.

HIS Honour, Governor *Morris*, being at this Time on a Tour to the Back Parts of this Province, his Council have deſired me to apply to you in an Affair which, for ſome Days paſt, has thrown the Inhabitants of this City into the greateſt Conſternation, and if a timely Stop is not put to it, will raiſe moſt violent Commotions throughout every Part of the Province. The Officers recruiting here had carefully avoided inliſting indented Servants, in Obedience to the kind Orders General *Braddock*, in his Life-time, and of your Excellency, ſince the Command of his Majeſty's Forces was deſervedly conferred upon you, had given them to that Purpoſe, till about three Days ago, when their Serjeants, in beating up for Volunteers, publicly invited all Servants to inliſt in his Majeſty's Service, and declared, that they had Inſtructions from their Superior Officers to do ſo. Contentions immediately enſued between the Maſters of great Numbers of Servants that inliſted and the Serjeants, and their recruiting Parties, and no one can ſay where it would have ended, if Captain *Hobſon*, and the reſt of the Recruiting Officers, on the Interpoſition and Requeſt of ſome of the Magiſtrates, had not forbid their Serjeants taking any more Servants till your Excellency's Pleaſure could be known upon the Occaſion. I need not remonſtrate to you, who are ſo well acquainted with the Circumſtances of this Province, and know that every Kind of Buſineſs here, as well among the Tradeſmen and Mechanics as the Planters and Farmers, is chiefly carried on and ſupported by the Labour of indented Servants; nor what Diſtreſs muſt be brought on the Province in general, if the Inhabitants are deprived of the only Means of ſubſiſting their Families, and contributing their reaſonable Quota towards any future Expedition his Majeſty may ſet on Foot on this Continent againſt his Enemies; nor how much his Service in general will be affected and prejudiced by the Deficiency in the Quantities of Grain, and other Proviſions uſually raiſed in, and I preſume expected to be ſupplied from, this Province, that muſt neceſſarily follow our Farmers loſing ſo many of their Servants; eſpecially now after the Loſs of the Produce of ſo much of the Lands in our Back Counties, which are laid waſte and deſerted by the terrible Slaughter and Havock made amongſt the Inhabitants there by the *Indians*.

When I conſider the irreparable Calamities that a Meaſure of this Sort will entail on great Numbers of the Inhabitants of this infant and late flouriſhing Colony, and call to Mind your known Humanity and Regard for Juſtice, I cannot doubt but you will be pleaſed to give Orders to your Officers, recruiting here, againſt inliſting indented Servants, and for the Reſtoring to their Maſters ſuch as are now detained from them, and am

Philadelphia, January 24, 1756.

Your Excellency's moſt humble Servant,
ROBERT STRETTELL, Preſident of the Council."

Ordered, That *James Webb* have Leave to be abſent the Remainder of this Sitting, upon urgent Buſineſs.

Adjournment *February* 14.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Bill for diſperſing the Inhabitants of *Nova-Scotia*, imported into this Province, into the ſeveral Counties of *Philadelphia*, *Bucks*, *Cheſter* and *Lancaſter*, and the Townſhips thereof; and making Proviſion for the ſame, was brought in by the Committee appointed for that Purpoſe, read the firſt time, and ordered a ſecond Reading.

Adjournment *February* 17.

Then the Houſe adjourned to next *Third-day*, at Three o'Clock, *P. M.*

The Houſe met, purſuant to their Adjournment.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, with ſundry Papers therein referred to, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'HIS Majeſty, ſenſible of the great Importance it is to the *Britiſh* Intereſt, and to 'the Succeſs of our Schemes againſt the *French*, to preſerve and improve our Friend-'ſhip with the *Indians*, has been graciouſly pleaſed to order a conſiderable Preſent to be 'ſent to *New-York* for the *Six Nations*; and Sir *Charles Hardy*, propoſing to go very

'ſoon

'soon to hold a Meeting with those *Indians*, to distribute among them that Present, with 1756.
'an Addition which he has prevailed on the Assembly of *New-York* to make to it, has
'recommended it to my Consideration, in the Letter I herewith send you, whether, at *February* 17.
'this critical Juncture, great Good may not arise from this Province's likewise taking some
'Notice of them.

'The cruel Proofs and daily Experience we have of late had, how much it is in the
'Power of a few, even of the most inconsiderable, of those People, to do us irreparable
'Mischiefs when they are disposed to be our Enemies, make it needless for me to use
'any other Arguments to induce you to consider whether it will not be quite proper and
'necessary for this Province to make some Present now to the *Six Nations*, in order to
'keep up and strengthen our Alliance with them, and engage them to be more earnest
'and ready to assist us against these Savages that have done, and are still committing,
'the Murders and horrid Ravages amongst our Back Inhabitants.

Philadelphia, February 16, 1756. *ROBERT HUNTER MORRIS.*"

An Account from *Richard Peters*, Esq; for Cash paid by him for sundry Expresses, amounting to *One Hundred* and *Twenty-four Pounds*, *Thirteen Shillings* and *Nine-pence*, was laid before the House and read, and referred to the Committee of Accounts.

The Bill for dispersing the Inhabitants of *Nova-Scotia*, imported into this Province, into the several Counties of *Philadelphia*, *Bucks*, *Chester* and *Lancaster*, and Townships thereof; and making Provision for the same, was read the second time, and the Consideration thereof referred to To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Message of Yesternight was again read, and considered, and, after some *February* 18.
Time spent therein, the same was referred to farther Consideration in the Afternoon.

A Petition from *Hans Zimmerman*, of the County of *Lancaster*, setting forth, that he is confined to Goal for sundry Debts owing by him to different Persons, and praying that this House would take such Measures to have him discharged as to their Wisdom shall seem most meet, was presented to the House and read.

Ordered, That the said Petition be rejected.

The House went upon the Consideration of a Bill for dispersing the Neutral *French*, and, after some Time spent therein, the same was referred to farther Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Bill for dispersing the Neutral *French*, *Post Meridiem*
and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *William White*, of the County of *Cumberland*, with a Recommenda- *February* 19.
tion of the same by the Commissioners for laying out the *Ohio* Road, was presented to the House and read, setting forth, that the Petitioner being employed as a Waggoner to carry Provisions to the People employed in cutting a Road from *M'Dowell's* Mill to the River *Monongahela*, had the Misfortune to lose one of his Waggon Horses, of the Value of *Ten Pounds*, during the Time he attended said Service, which Loss has reduced the Petitioner to great Hardships, and rendered him in some Measure unable to satisfy his just Debts; the Petitioner therefore most humbly prays, that this House would be pleased to take his Case into Consideration, and grant him such Relief in the Premises as they shall think proper. *Ordered to lie on the Table.*

An Account from *James Brandon*, of the County of *Cumberland*, for the Maintenance of sundry *Indians*, amounting to *Three Pounds Six Shillings* and *Five-pence*, was laid before the House and read, and referred to the Committee of Accounts.

The Committee of Accounts reported on sundry Accounts for cutting the Road towards the *Ohio*, produced since the last Settlement, amounting in the Whole to *Twenty-three Pounds Eleven Shillings* and *Eleven-pence*; also on *James Brandon's* Account for Maintenance of *Indians*, that they were of Opinion the same ought to be allowed.—To which Reports the House agreed.

And an Order was accordingly drawn on the Treasurer for *Twenty-six Pounds Eighteen Shillings* and *Four-pence*, payable to *Joseph Armstrong*, who is to pay the said Road-Cutters and *Brandon's* Accounts, and signed by the Speaker, by Order of the House.

The House again resumed the Consideration of the Bill for dispersing the Neutral *French*, and after some Alterations made therein, the same was ordered to be transcribed for a third Reading.

The following Letter, from General *Shirley* to *Benjamin Franklin*, Esq; one of the Members of this House, acknowledging the Receipt of the Cloathing sent as a Present from the Assembly for the Use of the Army about *Albany*, was laid before the House and read, *viz.*

SIR, *Boston, February* 4, 1756. General *Shirley's* Letter to *Benjamin Franklin*, Esq;

I WAS favoured with your Letter at *New-York*, dated the 2d of *December*, acquainting me that your Assembly had sent a Present of Thirteen Hundred and Thirty-nine

1756. *February* 19. warm Waiſtcoats, One Thouſand Pair of milled Stockings, and Three Hundred and Thirty-two Pair of knit Mittens, for the Comfort of the *New-England* Troops, and others, that might remain in Garriſon in that cold Country the enſuing Winter; and deſiring I would order a proper Diſpoſition of them, which you ſuppoſed even by that Time in the Hands of Mr. *Stevenſon* in *Albany*.

It was not 'till a few Days before my leaving *New-York* that I could learn the Certainty of this Cloathing's being actually arrived at *Albany*, and had not Time before my Departure from thence to anſwer your Letter.

I am now, Sir, to acquaint you, that I have ordered a Diſtribution of the Cloathing, and to deſire the Favour of you to make my Acknowledgments to the Aſſembly for this ſecond Inſtance of their public Spirit and Zeal for his Majeſty's Service, and the general Good of theſe Colonies, given by them in the Expedition againſt *Crown-Point*.

I cannot but hope that ſo laudable an Example will inſpire the other Colonies with the like Spirit, ſo neceſſary at this critical Conjuncture for putting a Stop to the Invaſions and Devaſtations of the *French* and their *Indians* within our Borders, and placing the *Britiſh* Northern Colonies in a State of Security againſt the Attempts which, from the Armament ſent the laſt Year from *France*, and their known Deſigns, we have the utmoſt Reaſon to expect they will puſh this Year; and that it will continue to animate the Government of *Pennſylvania* in the common Cauſe, as it hath hitherto done, ſo highly to their Advantage.

Be pleaſed likewiſe to aſſure them, Sir, that I ſhall not be wanting in making a juſt Repreſentation to his Majeſty of theſe Marks of their Zeal for the Service of their King and Country, and doing every Thing in my Power for the Service of the Province.

I am, with Truth and Regard, Sir,

Your moſt humble Servant,

W. SHIRLEY."

Another Letter from General *Shirley*, to *Benjamin Franklin*, informing him that he had taken off the Prohibition which he had formerly given concerning the Inliſting of Servants and Apprentices, was alſo laid before the Houſe and read.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor's Meſſage of the Seventeenth Inſtant was again read, and conſidered, and, after ſome Time ſpent therein,

Ordered, That *Joſeph Trotter*, *Benjamin Franklin*, *Mahlon Kirkbride*, *George Aſbbridge* and *James Wright* be a Committee to prepare a Draught of an Anſwer to the ſame.

Adjournment *February* 20. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Speaker laid before the Houſe a Letter from General *Shirley*, in Anſwer to the Letter from the Preſident and Council, concerning the Inliſtment of Servants, which he informed the Houſe had been put into his Hands by the Secretary.

And the ſaid Letter was read, and is as follows, *viz.*

SIR, *Boſton, February* 9, 1756.

General *Shirley's* Letter to the Governor. I Have received a Letter of the 24th of *January* laſt from the Preſident of your Council, relating to the Inliſting of indented Servants into his Majeſty's Service. I ſhould be extremely glad to have it in my Power to remove any Thing that can be thought a Hardſhip on the Province of *Pennſylvania*; but the Reſtraint I had put upon the Officers inliſting Servants was not taken off till I was convinced by the Complaints of the Officers that his Majeſty's Service muſt ſuffer, at this very critical Conjuncture, if they were reſtrained from inliſting ſuch as voluntarily offer themſelves; and at preſent the Number of Men wanting to complete his Majeſty's Regiments on this Continent is ſo great, and the Time ſo ſhort before they will be wanting for Service, that I can by no Means renew any Order which ſhall retard the compleating of them.

I cannot conceive that the Diſtreſs ariſing from the Inliſting a few Servants can be any Thing like what the Preſident and Council ſeem to apprehend; for the Number muſt be ſo trifling, in Proportion to the Labourers in your Government, that it can have no viſible Effect on the Province in general; and if any peculiar Inſtances of Hardſhip ſhould happen to particular Perſons thereby, I ſhall be always willing and ready to conſider Circumſtances on their being properly repreſented to me.

My own Government of the *Maſſachuſetts-Bay* is ſo far from thinking it a Hardſhip that indented Servants ſhould be allowed to inliſt, that they not only chearfully conſent to that, but have even impreſſed great Numbers of indented Servants for the Expedition againſt *Crown-Point*; and it is the conſtant Practice to impreſs them as well as other Inhabitants

habitants for garriſoning our Frontier Forts, where they often remain ſeveral Years; nor is it uncommon in other Governments to do the ſame. 1756. *February* 20.

I am *Your Honour's moſt obedient and moſt humble Servant,*

W. SHIRLEY."

The Bill, entituled, *An Act for diſperſing the Inhabitants of* Nova-Scotia, *imported into this Province, into the ſeveral Counties of* Philadelphia, Bucks, Cheſter *and* Lancaſter, *and the Townſhips thereof, and making Proviſion for the ſame,* being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

AS Sir *Charles Hardy* does not propoſe to ſet out from *New-York*, for the Meeting he intends to hold with the *Six Nations*, till the latter End of next Month, we apprehend no Inconveniences can enſue from our not giving a determinate Anſwer to the Governor's Meſſage of the Seventeenth Inſtant, which may be reſumed as the Advices we now daily expect to receive from General *Johnſon* may render it neceſſary.

By the Papers and Accounts the Governor has been pleaſed to lay before us on this Occaſion, it appears that great Numbers of *Indians* were expected at the Treaty to be held with the *Six Nations*; and from General *Johnſon's* Knowledge and known Abilities in conducting *Indian* Affairs, we may reaſonably expect a happy Iſſue of that Treaty; but whatever it may be, we ſhall be better able to determine the Part this Province ought to act in this Matter, when *Scarroyady* and *Andrew Montour* return with an Account of the Diſpoſitions of the *Indians* towards us at this critical Conjuncture, and the Reſult of General *Johnſon's* Treaty with the *Six Nations*, which are now very ſoon expected."

And the foregoing Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Gibbons* and *William Peters* wait upon the Governor, and deliver the ſame, together with the Bill for diſperſing the Neutral *French*, and acquaint him, that the Houſe deſire his Concurrence to the ſaid Bill.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, and the Bill for diſperſing the *French* Neutrals, reported that they had delivered the ſame according to Order. *February* 21.

It being moved, that it would not be proper to proceed any farther upon the Buſineſs before the Houſe, till the Iſſue of General *Johnſon's* Treaty was known, and ſome other Intelligence ſhortly expected was received, it was thereupon

Reſolved, That this Houſe will now adjourn to next *Second-day* Week.

Then the Houſe accordingly adjourned to the Firſt Day of the next Month, called *March*. Adjournment

The Houſe met, purſuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning. *March* 1. Adjournment

A Bill for continuing an Act, entituled, *An Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits*, was brought in by Order of the Houſe, read the firſt time, and ordered a ſecond Reading. *March* 2.

An Account from *John Roſs*, of *Blue-Rock*, *Lancaſter* County, for the Maintenance of ſundry *Indians* ſettled at *Coneſtogoe*, amounting to *Nine Pounds Nineteen Shillings* and *Four-pence*, was laid before the Houſe and read, and referred to the Committee of Accounts.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Committee of Accounts reported, that they were of Opinion the Sum of *One Hundred* and *Twenty-four Pounds Fifteen Shillings* was due from the Province to *George Croghan*, which ought to be paid by this Houſe, being the Amount of two Errors in the laſt Settlement of ſaid *Croghan's* Accounts, in his Favour.—Which Report was agreed to by the Houſe, and an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame. *Poſt Meridiem*

Ordered, That *Nathaniel Grubb* and *James Wright* wait upon the Governor, and acquaint him, that the Houſe deſire to know if he hath as yet come to any Reſult upon the Bill for regulating the *Indian* Trade, and the Bill for diſperſing the *French* Neutrals.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he had made no Amendments to the Bill for regulating the *Indian* Trade, thinking the ſaid Bill would be of no Uſe at this Time; however, if the Houſe thought otherwiſe, he would take it under his Conſideration: And as to the Bill for diſperſing the *French* Neutrals, he had laid it once before his Council, and ſhould again, and then he would acquaint the Houſe with his Reſult upon it. *March* 3.

The

1756. *March* 3. The Governor, by the Secretary, ſent down to the Houſe ſundry Minutes of Council, containing the Conference between the Governor and the *Indians* now in Town, which were read, and ordered to lie on the Table, for the Peruſal of the Members.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE Secretary will lay before you Petitions from a Number of the Inhabitants of 'this and other Counties, ſetting forth, that the laſt Year's Crop of Grain was not 'ſo plentiful as uſual;—that great Quantities had been deſtroyed by the *Indians*, and 'that the Back Inhabitants being drove from their Plantations, the Public would be de-'prived of the Benefit of the Grain they had put into the Ground. They therefore pray 'that a Stop may be put to the Exportation of Proviſions, in order to prevent a Scarcity, 'which they are apprehenſive there will be, if ſuch a Meaſure be not taken.

'As you come from the different Parts of the Province, you are the beſt Judges of 'the Circumſtances of the Country in that Particular; and I recommend it to you to 'conſider of this Matter; and if you judge it neceſſary to prevent the Exportation of 'Proviſions, you will prepare a Bill for that Purpoſe.

Philadelphia, March 3, 1756. *ROBERT HUNTER MORRIS.*"

The Petitions mentioned in the foregoing Meſſage were alſo read, and conſidered; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

A Petition from ſundry Inhabitants of the County of *Cheſter*, praying that the Conſtables Fees might be leſſened, was preſented to the Houſe and read, and

Ordered to lie on the Table.

A Bill for the better Regulation of ſuch Soldiers as are or hereafter may be in the Pay of the Province, was brought in by *Benjamin Franklin*, by the Leave of the Houſe, and read the firſt time, and ordered a ſecond Reading.

The Governor, by the Secretary, ſent down the Bill for diſperſing the Neutral *French*, with a verbal Meſſage, that he was ready to paſs the ſame into a Law whenever the Houſe ſhould preſent it to him for that Purpoſe.

Ordered, That the ſaid Bill be ingroſſed.

The Bill for continuing an Act, entituled, *An Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits*, was read the ſecond time, and ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 4. The Committee of Accounts reported, that they had examined the Account of *John Roſs*, of *Blue-Rock*, and were of Opinion, that the ſame ought to be allowed.—To which the Houſe agreed.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Bill for diſperſing the *French* Neutrals, being ingroſſed, was read, and compared at the Table.

The Bill, entituled, *An Act for continuing an Act, entituled, An Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits*, being read the third time,

Reſolved, That the Bill do paſs.

Ordered, That *Griffith Owen* and *William Smith* do carry up the ſame to the Governor for his Concurrence, and acquaint him, that the Bill for diſperſing the *French* Neutrals is engroſſed, and the Houſe deſire to know when they ſhall wait upon him, in order to paſs the ſame into a Law; and requeſt that he would be pleaſed to appoint ſome of his Council to join with two Members of this Houſe in comparing the ſaid engroſſed Bill with the Original.

A Meſſage from the Governor, by the Secretary:

SIR,

" The Governor ſends down to the Houſe an Account of *Samuel Neave's*, amounting " to *Fifty-ſeven Pounds Five Shillings* and *Six-pence*, for Goods delivered to the *Indians* " who were in Town in *Auguſt* laſt; and if the Houſe have any Doubts with regard to " the ſaid Account, *Conrad Weiſer* and myſelf are ready to explain the ſame when called " upon by the Houſe for that Purpoſe."

Then the Secretary withdrew.

And the ſaid Account being read, the Houſe obſerved that it was the ſame Account which had been tendered by the Secretary to the laſt Aſſembly, and refuſed by them for Reaſons ſet forth at large on their Minutes, (*vide Auguſt* 19, 21, and 22) it was therefore

Reſolved, That this Houſe will not allow the ſaid Account, it not being a Debt properly chargeable to the Province.

Ordered,

1756.

Ordered, That *Joſeph Stretch* and *Joſeph Fox* do return the ſaid Account to the Secretary, and acquaint him with the Reaſons why the Houſe have diſallowed the ſame.

March 4.

The Gentlemen appointed to wait upon the Governor return, and report, that they had delivered the Bill for continuing the Exciſe Act, according to Order; and that the Governor was pleaſed to ſay, that he ſhould be ready to receive the Houſe at Eleven o'Clock To-morrow Morning in the Council Chamber, in order to paſs the Bill, for diſperſing the *French* Neutrals, into a Law, and that he would appoint two of his Council to join the Members of this Houſe in comparing the engroſſed Bill with the Original.

Ordered, That *Richard Pearn* and *John Hughes* do meet the Members of Council, to compare the ſaid engroſſed Bill with the Original.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Poſt Meridiem

The Governor's Meſſage of Yeſterday, relating to an Embargo on Proviſions, was again read, and conſidered, and, after ſome Time ſpent therein, was referred to farther Conſideration.

A Bill for aſcertaining the Fineneſs of wrought Gold and Silver, and preventing Frauds and Abuſes in Manufactures made thereof, was brought in by Order of the Houſe, read the firſt time, and ordered a ſecond Reading.

The Petition from *Weſt-Caln* Townſhip, in *Cheſter* County, relating to Tipling-houſes, was again read, and conſidered; and, after ſome Time ſpent therein, it was referred for farther Conſideration, until it ſhall be known whether the Governor will give his Aſſent to the Bill for continuing the Exciſe Act.

The Petition from ſundry Inhabitants of *Cheſter* County, relating to Conſtables Fees, was again read, and conſidered.

Ordered, That *Derrick Hogeland* and *William Edmonds* wait upon the Governor, and acquaint him, that the Houſe look upon the Bill now before him for regulating the *Indian* Trade, as a Bill of Importance, and therefore deſire he would be pleaſed to take the ſame into his Conſideration, and let them know his Reſult thereupon as ſoon as poſſible.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

March 5.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that the Houſe ſhould hear from him this Day upon the Bill relating to the *Indian* Trade.

The Gentlemen appointed to meet two Members of the Council, to compare the engroſſed Bill with the Original, report, that they had done the ſame accordingly, and found them to agree.

A Meſſage from the Governor, by the Secretary:

S I R,

" The Governor is now in the Council Chamber, ready to receive the Houſe, in order " to paſs the Bill, for diſperſing the *French* Neutrals, into a Law."

Ordered, That *Richard Pearn* and *John Hughes* ſee the Great Seal affixed to the Law after it is paſſed, and the ſame depoſited in the Rolls Office.

Then the Speaker, with the whole Houſe, waited on the Governor.

The Houſe being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act for diſperſing the Inhabitants of* Nova-Scotia, *imported into this Province, into the ſeveral Counties of* Philadelphia, Bucks, Cheſter *and* Lancaſter, *and the Townſhips thereof, and making Proviſion for the ſame*; to which the Governor was pleaſed to give his Aſſent, by enacting the ſame into a Law.

A Petition from *Matthew Patten*, of *Conegocheague*, in the County of *Cumberland*, praying that the Governor and this Houſe would take ſome Meaſures to make good the Loſſes he has ſuſtained by the *Indians*, was preſented to the Houſe and read, and referred to the Conſideration of the Commiſſioners for diſpoſing of the *Sixty Thouſand Pounds* granted to the King's Uſe.

The Gentlemen appointed to ſee the Great Seal affixed to the Law, report, that the ſame is done, and that it is depoſited in the Rolls Office.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Poſt Meridiem

A Bill for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of *Philadelphia*, and for raiſing of Money on the Inhabitants and Eſtates of the ſaid City for defraying the neceſſary Expences thereof, was brought in, by Order of the Houſe, read the firſt time, and ordered a ſecond Reading.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

March 6.

The Bill for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of *Philadelphia*, and for raiſing of Money on the Inhabitants and Eſtates of the ſaid City, for defraying the neceſſary Expences thereof, was read the ſecond time, and conſidered, and, after ſome Time ſpent therein, was referred to farther Conſideration.

Then the Houſe adjourned to next *Second-day*, at Three o'Clock, *P. M.* Adjournment

1756.

The Houſe met, purſuant to their Adjournment.

March 8. *Poſt Meridiem* The Houſe reſumed the Conſideration of the Bill for regulating and continuing the Nightly Watch, *&c.* and, after ſome Alterations made therein, the ſame was ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 9. The Bill for the better Regulation of ſuch Soldiers as are, or hereafter may be, in the Pay of this Province, was read the ſecond time, and conſidered, and, after ſome Time ſpent therein, was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill, entituled, *An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of* Philadelphia, *and for raiſing of Money on the Inhabitants and Eſtates of the ſaid City for defraying the neceſſary Expences thereof*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Joſeph James* and *Peter Worral* do carry up the ſame to the Governor for his Concurrence.

The Houſe reſumed the Conſideration of the Bill for the better Regulation of ſuch Soldiers as are, or hereafter may be, in the Pay of this Province, and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 10. The Gentlemen appointed to wait upon the Governor with the Bill for regulating and continuing the Nightly Watch, *&c.* reported, that they had delivered the ſame according to Order.

Sundry Accounts from *William M'Dowell*, and others, for Proviſions, *&c.* furniſhed the Perſons employed in cutting the *Ohio* Road, were laid before the Houſe and read, and referred to the Committee of Accounts.

The Houſe again reſumed the Conſideration of the Bill for the better Regulation of ſuch Soldiers as are, or hereafter may be, in the Pay of the Province, and, after a conſiderable Time ſpent therein, it was

Reſolved, That the ſaid Bill be committed for Amendment; and that *John Hughes*, *Benjamin Franklin*, *Griffith Owen*, *Nathaniel Grubb*, *James Webb*, *John Wright* and *William Edmonds* be a Committee for that Purpoſe.

Joſeph Trotter, *James Pemberton*, *William Peters* and *Peter Worral* diſſent to the foregoing Reſolve.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor's Meſſage of the Fourth Inſtant, relating to the laying an Embargo on Proviſions, was again read, and conſidered, and, after ſome Time ſpent therein, was referred to farther Conſideration.

The Governor, by the Secretary, ſent down to the Houſe the Bill for regulating the *Indian* Trade, and the Bill for continuing the Exciſe on ſpirituous Liquors, with ſundry propoſed Amendments to each of them.

The Secretary informed the Houſe, that his Majeſty's Service requiring the Governor's Preſence at *New-Caſtle*, he intended to ſet out for that Place To-morrow or next Day.

The Governor's propoſed Amendments to the Bill ſent down this Afternoon, being read, and conſidered,

Reſolved, That this Houſe will adhere to the ſaid Bills, without admitting the Governor's propoſed Amendments thereto.

Ordered, That *James Pemberton* and *John Hughes* wait upon the Governor, and deliver the following Meſſage, together with the two Bills therein referred to, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly. THE Exciſe Bill now offered the Governor for his Aſſent, being free of all Objections as to Royal Inſtructions, or Acts of Parliament, and the ſame that has heretofore repeatedly received the Royal Aſſent; and no Reaſon appearing to the Houſe why the Change ſhould be made that is propoſed by the Governor's Amendment, they therefore unanimouſly adhere to the Bill, and deſire it may receive his Aſſent as it now ſtands.

The Bill for regulating the *Indian* Trade, being an Imitation of the Law for the ſame Purpoſe, found ſo beneficial by long Practice and Experience in the Province of the *Maſſachuſetts*, the Houſe do alſo adhere to that Bill as it ſtands; and requeſt the Governor would be pleaſed to reconſider his Amendments.

Signed by Order of the Houſe,

ISAAC NORRIS, Speaker."

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 11. The Gentlemen appointed to wait upon the Governor, report, that they had delivered the Meſſage of the Houſe, and the two Bills, according to Order.

A Petition

A Petition from ſundry Inhabitants in the County of *Lancaſter*, repreſenting the great Abuſes committed by Perſons who retail ſpirituous Liquors without Licence, and praying for a more effectual Law to prevent the ſame, was preſented to the Houſe and read, and 1756. *March* 11.

Ordered to lie on the Table.

A Petition from the United Brethren reſiding at *Bethlehem*, in the County of *Northampton*, praying Leave to bring in a Bill for the Exemption of themſelves from the Taxes directed and intended to be levied by the Act for granting *Sixty Thouſand Pounds* for the King's Uſe, on Account of the great Loſs the Petitioners have ſuſtained by the Deſtruction of *Mahoney*, was preſented to the Houſe and read, and

Ordered to lie on the Table.

The Committee of Accounts reported on *William M'Dowell's* and others Accounts, for Sundries furniſhed towards cutting the *Ohio* Road, that the ſame had not been charged in the general Account of Expences relating to the ſaid Road, and ought now to be allowed by this Houſe, amounting in the Whole to *Seventy-one Pounds Seventeen Shillings* and *Two-pence Half-penny*.—Which Report was agreed to by the Houſe.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Bill for aſcertaining the Fineneſs of wrought Gold and Silver, and preventing Frauds and Abuſes in Manufactures made thereof, being read the ſecond time, and ſundry Alterations made therein, was ordered to be tranſcribed for a third Reading.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *March* 12.

The Bill for regulating ſuch Soldiers as are raiſed, paid, and maintained within this Province, at the Charge of the Crown, out of the *Sixty Thouſand Pounds* granted to the King's Uſe, being altered and amended by the Committee to whom it was committed for Amendment, was read the firſt time, and ordered a ſecond Reading.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Bill, entituled, *An Act for aſcertaining the Fineneſs of wrought Gold and Silver, and preventing Abuſes in Manufactures made thereof*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Joſeph Stretch* and *Richard Pearn* do carry up the ſame to the Governor for his Concurrence.

The Bill for regulating ſuch Soldiers as are raiſed, paid, and maintained within this Province, was read the ſecond time; and, after a conſiderable Debate thereupon, the Queſtion was put, *Whether the ſaid Bill ſhould be tranſcribed for a third Reading?*

Paſſed in the Negative.

YEAS.	NAYS.	NAYS.
Joſeph Stretch,	*Joſeph Trotter*,	*Nathaniel Grubb*,
Joſeph Fox,	*James Pemberton*,	*William Peters*,
John Hughes,	*Joſhua Morris*,	*Peter Dicks*,
Benjamin Franklin,	*Richard Pearn*,	*Peter Worral*,
Mahlon Kirkbride,	*William Callender*,	*Francis Parvin.*
Griffith Owen,	*Joſeph Hamton*,	
Derrick Hogeland,	*William Smith*,	
Samuel Brown,	*Thomas Cummings*,	
Calvin Cooper,	*George Aſhbridge*,	
James Wright,	*Nathaniel Pennock*,	
James Webb,	*Joſeph James*,	
John Wright,	*Joſeph Gibbons*,	
William Edmonds.		

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *March* 13.

The Governor's Meſſage of the Third Inſtant, relating to an Embargo on Proviſions, was again read, and conſidered.

Benjamin Franklin, one of the Commiſſioners for diſpoſing of the *Sixty Thouſand Pounds* granted to the King's Uſe, repreſented to the Houſe, that there was an abſolute Neceſſity for ſome Law to be ſpeedily paſſed for the better Regulation of the Soldiers in the Pay of the Province, or that otherwiſe they muſt be diſbanded; and therefore moved, that though the Bills which had already been prepared for that Purpoſe were not agreeable to the Mind of the Houſe, yet that the Houſe ſhould meet again this Afternoon, in order to conſider if ſome other Meaſures could not be fallen upon to anſwer the good End propoſed.

And the Houſe taking the ſaid Motion into Conſideration, the Queſtion was put, Whether the Houſe ſhould adjourn to next *Second-day?* *Paſſed in the Negative.*

Then the Queſtion was put, Whether the Houſe ſhould adjourn to next *Second-day* Week? *Paſſed in the Negative.*

Upon which the Queſtion was put, Whether the Houſe ſhould adjourn to next *Second-day* two Weeks? Which alſo *Paſſed in the Negative.*

Where-

1756. Whereupon the Speaker adjourned the Houſe to Three o'Clock this Afternoon.

March 13. *Poſt Meridiem* The Houſe went upon the Conſideration of the Motion made in the Morning, for ſome Meaſures to be fallen upon for the better Regulation of the Soldiers in the Pay of the Province, and, after ſome Time ſpent therein,

Reſolved, That a Committee be appointed to prepare and bring in another Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of the Province.

Ordered, That *Richard Pearn*, *John Hughes*, *Benjamin Franklin*, *Griffith Owen*, *William Smith*, *Nathaniel Grubb*, *Peter Dicks*, *James Webb*, *John Wright* and *William Edmonds* be a Committee to prepare and bring in a Bill purſuant to the foregoing Reſolve.

Adjournment Then the Houſe adjourned to next *Third-day*, at Ten o'Clock in the Morning.

March 16. The Houſe met, purſuant to their Adjournment.

A Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of the Province, was brought in by the Committee appointed for that Purpoſe, read the firſt time, and ordered a ſecond Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 17. The Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province, was read the ſecond time, and, after ſome Time ſpent in Conſideration thereof, it was ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem *Reſolved*, That this Houſe will this Day adjourn to the Fifth Day of the Month, called *April*, next.

The Bill, entituled, *An Act for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of the Province*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

James Pemberton, *Peter Worral*, } Diſſentientes.

Ordered, That *John Hughes* and *Benjamin Franklin* do carry up the ſame to the Governor for his Concurrence, and acquaint him with the Time of Adjournment.

Adjournment Then the Houſe adjourned to the Fifth Day of the next Month, called *April*.

April 5. THE Houſe met, purſuant to their Adjournment.

John Hughes reported, that *Benjamin Franklin* had, on his Way to *Virginia*, delivered the Bill, for regulating the Soldiers in the Pay of this Province, to the Governor at *New-Caſtle*, and acquainted him with the Time of Adjournment, according to Order.

Ordered, That *Joſeph Stretch* and *John Hughes* wait upon the Governor, and acquaint him, that the Houſe are met according to their Adjournment, and are ready to receive any Buſineſs he may have to lay before them.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 6. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that the Houſe ſhould hear from him this Afternoon.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor, by the Secretary, ſent down to the Houſe the Bill for regulating and continuing the Nightly Watch, with Eleven propoſed Amendments thereto; alſo the Bill for aſcertaining the Fineneſs of wrought Gold and Silver, with one propoſed Amendment thereto.

And the ſaid propoſed Amendments to the Bill for regulating and continuing the Nightly Watch being read, and conſidered, the Houſe agreed to ſome of them, and in others adhered to the Bill.

The Governor's propoſed Amendment to the Bill for aſcertaining the Fineneſs of wrought Gold and Silver, was likewiſe read, and conſidered, and, after ſome Time ſpent therein, it was

Reſolved, That the Houſe do adhere to the ſaid Bill without admitting the Governor's propoſed Amendment.

Ordered, That *James Pemberton* and *William Callender* do carry up the two aforeſaid Bills to the Governor again, and acquaint him with the Determinations of the Houſe thereupon.

The Gentlemen return, and report, that they had done the ſame according to Order.

The Governor, by the Secretary, ſent down the Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province, with a Paper containing ſundry propoſed Amendments thereto.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 7. The Speaker laid before the Houſe a Copy of the Treaty lately held with the *Indians* of the *Six Nations* by Sir *William Johnſon*, which he informed the Houſe he had received from

from the Secretary, for that Purpoſe. And the ſaid Treaty being read, was ordered to lie on the Table for the Peruſal of the Members. 1756. *April* 7.

The Governor's propoſed Amendments to the Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province, were read, and conſidered, and after ſome Time ſpent therein, the ſame were referred to farther Conſideration.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

Sundry Accounts for public Expences were laid before the Houſe and read, and referred to the Committee of Accounts, with Directions for them to report thereupon.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *April* 8.

The Governor's propoſed Amendments to the Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province, were again read, and conſidered, and, after ſome Time ſpent therein, it was agreed to inſert a Clauſe in the ſaid Bill, to impower the Governor to iſſue Commiſſions for holding General Courts Martial. And the ſaid Clauſe being inſerted accordingly,

Ordered, That *Joſeph Fox* and *John Hughes* wait upon the Governor with the ſaid Bill, and acquaint him, that the Houſe deſire he would be pleaſed to recede from his propoſed Amendments, and paſs the ſaid Bill as it now ſtands; and further, that they enquire when the Houſe may expect to hear from the Governor concerning the Bills now before him.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that he would again conſider the Bill for regulating the Soldiers in the Pay of this Province, and that the Houſe might expect to hear from him this Afternoon on ſome of the Bills now lying before him.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Governor's Meſſage of the Third of *March*, relating to an Embargo on Proviſions, was again read, and conſidered, and it being found, upon Enquiry among the Members of the ſeveral Counties, that there was not at preſent much Likelihood of there being a Scarcity of Proviſions in the Province, the ſame was referred to farther Conſideration; and in the mean Time the Members are directed to make a particular Enquiry into that Matter againſt the next Sitting.

The Houſe having ſat a conſiderable Time, and not hearing from the Governor,

Ordered, That *Joſeph Stretch* and *Richard Pearn* wait upon the Governor, and deſire to know if the Houſe may expect his Reſult this Afternoon upon any of the Bills now before him.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that he had nothing ready for the Conſideration of the Houſe this Afternoon, but he believed he ſhould in the Morning.

The Committee of Accounts reported on the Account of *Samuel Neave*, which was laid before the Houſe on the Tenth of *February* laſt, that they were of Opinion the ſame ought to be referred to the Commiſſioners for diſpoſing of the *Sixty Thouſand Pounds* granted to the King's Uſe.——To which Report the Houſe agreed; and it was accordingly referred to the ſaid Commiſſioners.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *April* 9.

A Motion was made, that the Governor be addreſſed by this Houſe to ſuſpend declareing War againſt the *Delawares* and *Shawaneſe* for ſome Time longer, there appearing by the Papers laid before the Houſe ſome Reaſon to believe that an Accommodation may be brought about with thoſe Nations; and, after a conſiderable Debate thereupon, the ſame was referred to farther Conſideration.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

An Account from the Widow *Heinſelman*, for the Maintenance of the *Indian Jonathan Cayenquinloquois's* two Sons, from the Twenty-ſeventh of *Auguſt* 1755, until the 19th of *March* 1756, amounting to *Twenty-ſeven Pounds* and *Eight-pence*, was laid before the Houſe and read.

The Governor, by the Secretary, ſent down to the Houſe the Bill for aſcertaining the Fineneſs of wrought Gold and Silver; and preventing Frauds and Abuſes in Manufactures made thereof, with a verbal Meſſage, that he adhered to his propoſed Amendment to the ſaid Bill.

The Governor likewiſe ſent down the Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province, with a Paper containing ſundry propoſed Amendments thereto, which were read, and conſidered; to ſome of which the Houſe agreed, and in others adhered to the Bill.

Ordered, That *David M'Connaughy* and *William Edmonds* wait upon the Governor with the ſaid Bill, and inform him which of his Amendments the Houſe have agreed to, and deſire that he would be pleaſed to paſs it as it now ſtands amended.

1756. *April* 9. The Governor, by the Secretary, ſent down to the Houſe ſundry Minutes of Council, relating to the *Indians* now in Town, which were read, and ordered to lie on the Table for the Peruſal of the Members.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 10. The Gentlemen appointed to wait upon the Governor with the Bill for regulating the Soldiers, &c. report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would again take the ſaid Bill into his Conſideration.

A Petition from *George Brey*, of *Marlborough* Townſhip, in the County of *Philadelphia*, in Behalf of the ſaid Townſhip, was preſented to the Houſe and read, ſetting forth, that the Overſeers of the Townſhip of *Marlborough* aforeſaid, have received an Order to make Proviſion for a certain Number of *French* Neutrals, which (for ſundry Reaſons mentioned in the Petition) they are not able to comply with; therefore praying that this Houſe would relieve them in the Premiſes.

Ordered, That the ſaid Petition be referred to the Commiſſioners for diſperſing the Neutral *French*.

The Governor, by the Secretary, ſent down the Bill for regulating the Officers and Soldiers, &c. with a verbal Meſſage, that he adheres to his propoſed Amendments, and deſires that the Houſe would appoint a Committee to confer with him upon the ſame, either this Afternoon, or on *Monday* next, as the Houſe ſhould think proper.

Ordered, That *Richard Pearn*, *William Smith*, *Peter Dicks*, *Nathaniel Grubb* and *James Wright* be, with the Speaker, a Committee to confer with the Governor on his propoſed Amendments to the Bill for regulating the Officers and Soldiers, &c. at Four o'Clock this Afternoon, in the Council Chamber.

Adjournment. Then the Houſe adjourned to next *Third-day*, at Ten o'Clock in the Morning.

April 13. The Houſe met, purſuant to their Adjournment.

Sundry of the People called *Quakers* attending without, and deſiring to be admitted, they were accordingly called in, and, by the Leave of the Houſe, they read and preſented the following Addreſs, and then withdrew, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of *Pennſylvania*, in GENERAL ASSEMBLY met,

The ADDRESS of ſome of the People called QUAKERS, *reſiding in the City of* Philadelphia, *on Behalf of themſelves, and many others.*

Addreſs of ſome of the People called *Quakers*.

THE mournful and deſolate Circumſtances of our Fellow-Subjects on the Frontiers of this Province, engaging the deep Concern and Sympathy of every Mind capable of conſidering the Diſtreſs and Affliction to which they are now ſubjected, and the preſent Conjuncture appearing to us the moſt critical and important the Inhabitants of this Province have ever known, we hope our Addreſs to you, at this Time, will obtain your ſerious, weighty, and deliberate Conſideration.

We have, ſome Time paſt, painfully obſerved the Meaſures which have been purſued, and how remarkably they have been diſappointed, and failed of the deſirable End of reſtoring Peace and Tranquillity; and as we are informed that the Governor hath under his Conſideration a Declaration of War againſt thoſe *Indians*, who, contrary to the Faith of their Treaties, and the Friendſhip they have heretofore manifeſted to us, have become our open and cruel Enemies: From the ſtrong Motives of the Fear of God, and Love of Mankind, and eſpecially of our ſuffering Brethren and Fellow-Chriſtians, we have been conſtrained to make our Addreſs to the Governor (a Duplicate of which we herewith deliver you) beſeeching him to ſuſpend a full Determination of carrying ſuch Meaſures into Execution, as may render all pacific Meaſures much more difficult; and as the Station in which you are placed, the Truſt committed to you, and the Profeſſion you make of being the Diſciples and Followers of our Lord Jeſus Chriſt, the Prince of Peace, unite in demanding of your utmoſt and unwearied Endeavours to be exerted for the Safety, Peace and Proſperity of the People of this Province, we intreat and beſeech you, as you tender the Honour of God, the Reputation and Promotion of the Doctrine and fundamental Principles of Chriſtianity, and the Welfare of yourſelves, and the People whom you repreſent, to exert yourſelves on this moſt ſolemn and important Occaſion.

The Records of the ſeveral Treaties with theſe *Indians*, and our Anceſtors, our own, and our Neighbours Experience, have fully proved, that though they are ſavage, and inexpreſſibly cruel to their Enemies, they are not void of a large Share of natural Underſtanding; have, in many Caſes, clear Sentiments of Juſtice and Equity, and have, from the firſt Settlement of this Province, till a few Months paſt, manifeſted their Friendſhip to us; we therefore earneſtly deſire it may be the Care of all concerned (though not convinced as we are, that War is repugnant to the Doctrine and Principles of the Goſpel) to be well aſſured that our Affairs with theſe People have been tranſacted, in every Reſpect, in the moſt honeſt, upright, and equitable Manner: The

Reflections

Reflections which the Want of this neceſſary Care muſt ſuggeſt to every Mind, if a Time of general Deſolation ſhould enſue, are too obvious and dreadful to be mentioned, and we are aſſured that the Conſideration thereof hath made a deep Impreſſion on many, who cannot but frequently, in this melancholy Time, remember the emphatic and prophetic Expreſſions of the wiſe, worthy, firſt Proprietor of this Province: "If Friends "here keep to God, and in the Juſtice, Mercy, Equity, and Fear of the Lord, their "Enemies will be their Foot-ſtool; if not, their Heirs, and my Heirs too, will loſe "all, and Deſolation will follow." [WILLIAM PENN's *Life*, Folio 124.] 1756. *April* 13.

That the Motives of Self-intereſted Views have not determined us to theſe urgent Addreſſes, we are ready and willing chearfully to manifeſt, as there are ſome among us who will freely aſſiſt with their Eſtates and Perſons, to endeavour the regaining the Friendſhip of our Enemies, and promoting pacific Meaſures in the ſame Manner as the unhappy Experience of ſeveral of the moſt martial neighbouring Colonies hath, after long and bloody Wars, teſtified it muſt at laſt, if ever, be obtained; but as any Propoſals, or Requeſts, made by us in our private Capacities, cannot have ſo much Weight with the Governor, as an Application and Requeſt from you, who repreſent the Freemen of the Province, and who, though not veſted with the executive Powers of the Government, are, both by ſacred and civil Obligations, bound to conſult and promote its real Welfare, we intreat you to add your Endeavours to ours to effect theſe neceſſary and ſalutary Meaſures.

Philadelphia, Fourth Month 12, 1756.

To *ROBERT HUNTER MORRIS*, Eſq; Lieutenant Governor and Commander in Chief of the Province of *Pennſylvania*, *&c.*

The humble ADDRESS of ſome of the People called QUAKERS, *reſiding in the City of* Philadelphia, *on Behalf of themſelves, and many others.*

Addreſs of ſome of the People called *Quakers* to the Governor.

WITH Hearts ſorely diſtreſſed and deeply affected with the Calamities of our Fellow-Subjects, and painfully apprehenſive of the impending Deſolations conſequent of an *Indian* War, we addreſs the Governor, and earneſtly intreat thy favourable Attention, on this ſolemn and important Conjuncture, in which the Lives and Liberties of the People of this Province are ſo nearly concerned.

We have, with the moſt ſenſible Concern and Pain of Mind, obſerved the ſorrowful Alteration in the State of this late peaceful Province, now become the Theatre of Bloodſhed and Rapine, and diſtreſſed by the cruel Devaſtations of a barbarous Enemy, which juſtly excites the moſt aggravating Reflections in every conſiderate Mind; yet when we conſider that all Wars are attended with fatal Conſequences, and one with Enemies ſo ſavage as thoſe who have now become ours, with Circumſtances the moſt ſhocking and dreadful, we cannot omit beſeeching, that before the Reſolution of declaring War againſt them be carried into Execution, ſome farther Attempts may be made, by pacific Meaſures, to reduce them to a Senſe of their Duty, and that a farther Opportunity may be offered to ſuch as may be willing to ſeparate from thoſe who have been the wicked Inſtruments of perverting them.

The Settlement of this Province was founded on the Principles of Truth, Equity and Mercy, and the Bleſſing of Divine Providence attended the early Care of the firſt Founders to impreſs theſe Principles on the Minds of the native Inhabitants; ſo that when their Numbers were great, and their Strength vaſtly ſuperior, they received our Anceſtors with Gladneſs, relieved their Wants with open Hearts, granted them peaceable Poſſeſſion of the Land, and, for a long Courſe of Time, gave conſtant and frequent Proofs of a cordial Friendſhip; all which we humbly aſcribe to the infinite Wiſdom and Goodneſs of GOD, "whoſe Hand is for Good upon all them that ſeek him;" and as the angelic Acclamation of Glory to GOD in the Higheſt, Peace on Earth, and Good-will to Men, with which the Birth of our LORD JESUS CHRIST was publiſhed, and the Example and Precepts which He, as the Prince of Peace, gave through the Courſe of his perſonal Appearance on Earth, have given us undoubted Aſſurance that the Day is dawned in which his peaceable Reign will be exalted, and gradually become univerſal; we cannot, without Neglect of our Duty, and ſacrificing the Peace of Conſcience, we prefer to every temporal Bleſſing, omit reviving our Teſtimony in this Time of Probation, that all Wars appear to us contrary to the Nature and End of the Goſpel Diſpenſation, and that we, as a People, ſtill firmly believe, that on an humble and ſteady Acquieſcence with the Diſpenſations of Divine Providence our real Protection and Security depends, from which no temporal Inconveniences and Difficulties can juſtify our departing.

Yet, while we earneſtly deſire all may attain this happy Experience, we do not preſume to preſcribe, but as our Minds feel more, than our Words can expreſs, of Pain and Anxiety for our Brethren and Fellow-Chriſtians, whoſe Deſolation, we fear, will be increaſed and perpetuated by a haſty Declaration of War, we find ourſelves obliged to beſeech the Governor to reſume the moſt weighty, ſerious and religious Deliberation on this

melancholy

1756. *April* 13. melancholy Occaſion, that ſo every Meaſure which hath been purſued, and whatever remains poſſible to be done, to prevent ſo fatal and lamentable an Extremity, may be ſtrictly and impartially reviewed and conſidered; that full Enquiry may be made, whether ſome Apprehenſions theſe *Indians* have conceived of a Deviation from the Integrity of Conduct towards them, ſo conſpicuous in the firſt Eſtabliſhment, may not, unhappily, have contributed, in ſome Degree, to the Alteration of their Conduct towards us; that full Time may be allowed for thoſe *Indians* who ſtill remain well affected towards us, to uſe and report the Effect of their Endeavours to reconcile our Enemies, and that proper Care may be taken to prevent our Allies being, through the Miſconduct or evil Diſpoſitions of any, injured in ſuch Manner as to provoke them likewiſe to turn their Arms againſt us; and that the Governor's Care to guard againſt involving the Innocent with the Guilty, may carry ſo clear Demonſtration of Chriſtian Tenderneſs, and Averſion to ſhedding Blood, that an Evidence may be given to the Minds of the other neighbouring *Indians*, which may engage them heartily and ſincerely to aſſiſt in the deſirable Work of reſtoring Peace and Tranquillity, towards which all the Meaſures hitherto taken ſeem to have contributed little good Effect.

We therefore with Sincerity and Ardency pray, that the Calamities may be averted, which will enſue on a continued War with theſe Savages, ſome of the melancholy Effects of which the Annals of a neighbouring Province, full of the moſt warlike People, have teſtified; and as the Fear of GOD, Honour of the King, Love of our Brethren and Fellow-Chriſtians, are the Motives which engaged us to make this Addreſs, we hope to demonſtrate by our Conduct, that every Occaſion of aſſiſting and relieving the Diſtreſſed, and contributing towards the obtaining Peace, in a Manner conſiſtent with our peaceable Profeſſion, will be chearfully improved by us, and even though a much larger Part of our Eſtates ſhould be neceſſary than the heavieſt Taxes of a War can be expected to require, we ſhall chearfully, by voluntary Grants, evidence our Sincerity herein.

May the Mind of the Governor be indued with that Wiſdom which the wiſeſt of Kings experienced to be "better than Weapons of War;" and may thy Councils be directed to the Honour of GOD, and Good of the People over whom thou preſideſt, is our ſincere Deſire and Prayer."

Philadelphia, Fourth Month 12, 1756. *Ordered to lie on the Table.*

The Committee appointed to confer with the Governor, on the Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province, report, that they had done the ſame according to Order; and that they were of Opinion, from the Reaſons offered by the Governor, (which they related to the Houſe) that his Amendments to the ſaid Bill might be neceſſary.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'I Have this Day received Information, that a Number of People from the Back Counties have reſolved to meet at *Lancaſter* on the Sixteenth Inſtant, and thence proceed to this City, to make ſome Demands of the Legiſlature now ſitting.

'As Attempts of this Kind may be dangerous to the King's Peace, and the Authority of the Legiſlature, I think proper to give you this timely Notice of it; and, by the Advice of the Council, ſhall give immediate Orders to the Provincial and other Magiſtrates, to uſe their utmoſt Endeavours to prevent the Miſchiefs that may attend ſo extraordinary a Procedure.

Philadelphia, April 13, 1756. *ROBERT HUNTER MORRIS.*"

The Houſe went upon the Conſideration of the Reaſons offered by the Governor at the Conference, in Support of his Amendments to the Bill for regulating the Officers and Soldiers, *&c.* and, after ſome Time ſpent therein, they were all agreed to by the Houſe, except that propoſing a longer Continuance of the Act than as mentioned in the Bill, which the Governor ſaid he was willing to recede from, if the Houſe thought proper to adhere to their Bill in that Particular.

Ordered, That the ſaid Bill be ingroſſed.

The Governor's Meſſage of this Afternoon was again read, and conſidered, and, after ſome Time ſpent therein,

Ordered, That *Joſeph Fox*, *William Callender*, *Mahlon Kirkbride*, *Thomas Cummings*, *James Wright*, *John Wright*, *Francis Parvin* and *William Edmonds* be a Committee to prepare a Draught of an Anſwer to the ſame.

The Addreſs from the People called *Quakers* was again read, and conſidered, and, after ſome Debate thereupon, the ſame was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 14. The Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor

vernor for the Defence of this Province, being ingroſſed, was read, and compared at the Table. 1756. *April* 14.

Ordered, That *Griffith Owen* and *David M'Connaughy* wait upon the Governor, and acquaint him, that the Bill for regulating the Officers and Soldiers, &c. is ingroſſed with his Amendments; and that the Houſe deſire he would be pleaſed to appoint a Time to receive the Houſe, in order to enact the ſame into a Law; and likewiſe, that he would appoint ſome of his Council, to join with ſome Members of this Houſe in comparing the ſaid ingroſſed Bill with the Original.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage of Yeſternight, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.—And the ſame being accordingly done, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

SO extraordinary a Procedure as "the Meeting of a Number of People from the Back Counties, to make Demands of the Legiſlature now ſitting," which the Governor has been pleaſed to give us Notice of, is truly ſurpriſing to us, conſidering the real Concern and great Care that has been demonſtrated for their Protection and Security, by granting ſuch large Sums of Money, and paſſing ſuch Laws, as in our Judgment are moſt ſuitable to thoſe Purpoſes, and moſt conſiſtent with the juſt Rights of our Conſtituents.—But, although we are at a Loſs to find out any Reaſon for this extraordinary Procedure from any Part of our Conduct, if the Governor ſhall think fit to lay before us the Information he has received upon this Occaſion, we may poſſibly be able to form ſome Judgment of their Views or Deſigns, or wherein they apprehend themſelves either aggrieved or neglected.

And as we are apprized of the Danger theſe People may involve themſelves in, from the Acts of Parliament brought over and enforced within this Province, by an Act paſſed in the Fourth Year of the late Queen ANNE, to the Penalties of which this Part of our Inhabitants may unhappily ſubject themſelves, without a due Senſe of the Extent and Severity of thoſe Acts: We therefore thank the Governor, for the Orders he has aſſured us he will immediately give to the Provincial and other Magiſtrates, to exert themſelves, and prevent the Miſchiefs that may attend their Conduct, if they ſhould unhappily continue their Reſolution of coming down to this City, to make any Demands upon the Legiſlature in a Manner inconſiſtent with our Conſtitution."

The foregoing Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Stretch* and *Richard Pearn* wait upon the Governor with the ſame, and enquire whether the Governor has come to any Reſult upon the Bills now before him; and likewiſe acquaint the Governor, that the Houſe deſire he would be pleaſed to lay before them a Copy of the Remainder of the *Indian* Minutes, and any other Papers he may have lately received relating to *Indian* Affairs.

The Gentlemen appointed to wait upon the Governor, and acquaint him, that the Bill for regulating the Officers and Soldiers was ingroſſed, return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would be at the Council Chamber To-morrow Morning, in order to enact the ſaid Bill into a Law; and that he ſhould appoint two Members of Council to join the Members of this Houſe in comparing the ingroſſed Bill with the Original.

Ordered, That *Joſeph Stretch* and *Richard Pearn* do meet the Members of Council, in order to compare the ſaid ingroſſed Bill with the Original.

The Houſe again reſumed the Conſideration of the Addreſs from the People called *Quakers*, relating to a Declaration of War againſt the *Indians*, and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

Poſt Meridiem

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he had no Bills properly before him, except the Watch and Lamp Bill, which he had referred to his Council, who had not as yet reported on it. And upon being reminded by the Members, that the Bill for continuing the Exciſe Act was likewiſe before him, he replied, that he did not look upon that Bill as properly before him, by Reaſon the Houſe did not return him his propoſed Amendments with it.

The Governor ſent down, by the Members, the Remainder of the Minutes of Council, relating to *Indian* Affairs, which was read, and conſidered, and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

April 15.

The Gentlemen appointed to meet two Members of Council to compare the ingroſſed Bill with the Original, report, that they had done the ſame according to Order, and that they found them to agree.

1756. *April* 15.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

A Meſſage from the Governor to the Aſſembly.

GENTLEMEN,

'THE *Indians* have this Afternoon been with me, and given me Notice by *Scarroyady*, that they intend to move in Three Days with their Wives and Children to the Country of the *Six Nations*, leaving *New-Caſtle* and two more to go with our Forces to *Shamokin*; and demanding of me the neceſſary Conveyances and Paſsports.—I was much ſurprized at this Reſolution; to which, by Advice of Mr. *Weiſer*, I gave no other Anſwer, but that I would, when every Thing was ready, ſend for them, and take my Leave.—I am fearful ſome Diſcontent has given Riſe to this ſudden Reſolution, though I know of no Reaſon they can have for it: However, if we cannot prevail on them to act with us (which I have directed Mr. *Weiſer* to endeavour) it will be neceſſary to reward *Scarroyady* and Mr. *Montour* for their Trouble and Service to their Satisfaction, to ſend the others away well ſatisfied, and to give thoſe that continue with us good Encouragement.

'You will therefore give the neceſſary Directions for furniſhing what may be proper upon this Occaſion.

Philadelphia, April 15, 1756. *ROBERT HUNTER MORRIS.*"

The Secretary informed the Houſe, that the Governor was now in the Council Chamber ready to receive the Houſe, in order to paſs into a Law the Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province.

Ordered, That *Joſeph Stretch* and *Richard Pearn* ſee the Great Seal affixed to the Law after it ſhall be paſſed, and the ſame depoſited in the Rolls Office.

Then the Speaker, with the whole Houſe, waited upon the Governor.—And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province*, to which the Governor was pleaſed to give his Aſſent, by enacting the ſame into a Law.

An Account from the Secretary, amounting to *Seventy-eight Pounds Two Shillings* and *Six-pence*, for Commiſſions granted to Military Officers, was laid before the Houſe, and referred for farther Conſideration.

The Gentlemen appointed to ſee the Great Seal affixed to the Law, and the ſame depoſited in the Rolls Office, report, that the ſame was done according to Order.

The Governor, by the Secretary, ſent down to the Houſe the following written Meſſage, which was read, *viz.*

A Meſſage from the Governor to the Aſſembly.

GENTLEMEN,

'THE many and great Cruelties, committed upon his Majeſty's Subjects within this Province by the *Delaware* Tribe of *Indians*, and the little Regard they have paid to the Meſſages ſent them by our Friends and Allies the *Six Nations*, are ſufficient to convince us, that they have put themſelves under the Protection of the *French*, and will no longer regard their Treaties with us, or ſubmit to the *Six Nations*, to whom they owe Obedience.

'I have therefore thought proper, by and with the Advice of the Council, to declare War againſt them, and all ſuch as have, in Conjunction with them, committed Hoſtilities againſt the Inhabitants of this Province; and the Commiſſioners appointed to diſpoſe of the *Sixty Thouſand Pounds*, given to the King's Uſe, having, by their Letter of the Tenth Inſtant, propoſed to me, to offer certain Rewards for the Taking of *Indian* Priſoners and Scalps, and promiſed, as far as in them lay, to enable me to pay the ſame, I have, by Proclamation, notified this to the People, and invited them and our Friendly *Indians* to make uſe of every Opportunity of purſuing, taking and deſtroying, the ſaid Enemy *Indians*.

'But as great Part of the *Sixty Thouſand Pounds* is already expended, and what remains will very ſoon be conſumed in maintaining the Troops poſted on the Frontiers, and other neceſſary Services, I recommend it to you, Gentlemen, to grant ſuch further Supplies, as may be neceſſary to carry on the War with Vigour, upon the Succeſs of which, the future Peace and Safety of the Inhabitants of this Province will very much depend.

Philadelphia, April 15, 1756. *ROBERT HUNTER MORRIS.*"

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

The Houſe being informed, that the Commiſſioners, for the County of *Philadelphia*, appointed to diſperſe the Neutral *French*, were attending without, and had ſomething to offer to the Houſe, they were called in, and they then repreſented to the Houſe ſundry

Difficulties

Difficulties they met with in the Execution of their Office, and desired the Advice of the House therein, which being accordingly given them, they withdrew. 1756. April 15.

A Petition from *Jacob Duché*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Petitioner having a large House empty near the City at the Time of the Arrival of Colonel *Dunbar's* Regiment, *William Plumsted*, Esq; present Mayor of this City, demanded the Keys of the said House, to make an Hospital for the Wounded of the King's Troops under the late General *Braddock*, and at the same Time promised his Care to see the Rent paid; but all his Endeavours, as well as those of the Petitioner, to come at the said Rent from the Director of his Majesty's Hospital in *North-America*, have been fruitless: That the Petitioner conceiving the Sum of *Fifteen Pounds* (which he values the said House-rent at for the Term of Six Months) to be too great a Tax for an Individual of his Circumstances, applied to the Commissioners of the Province, and they likewise refused to pay the said Account; the Petitioner therefore prays, that this House would take the Premises into their Consideration, and grant him such Relief as they in their Wisdom shall judge proper. *Ordered to lie on the Table.*

Ordered, That *Joseph Stretch*, *Joshua Morris*, *Mahlon Kirkbride*, *Peter Dicks*, *James Webb*, *David M'Connaughy*, *Francis Parvin* and *William Edmonds* be a Committee to prepare a Draught of an Answer to the Governor's two last Messages.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Resolved, That this House will this Day adjourn to the Twenty-fourth Day of the next Month, called *May*. *April* 16.

The Committee appointed to prepare a Draught of an Answer to the Governor's two last Messages, reported the same to the House, and it being read, was agreed to, and ordered to be transcribed, that it may be sent up to the Governor. —— Which being accordingly done, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

THE House are of Opinion, that the Act for granting *Sixty Thousand Pounds* for the King's Use, passed in *November* last, has so fully provided for defraying our *Indian* Expences, under the present unhappy Circumstances of *Indian* Affairs, that the Gentlemen Commissioners, appointed by Virtue of that Act, will chearfully, out of that Money, reward *Scarroyady* and *Andrew Montour*, and furnish what else may be propet on the Occasion the Governor has been pleased to recommend to us in his first Message of the Fifteenth Instant; and we beg Leave to add, that it would be very agreeable to us, whenever these our Friendly *Indians* do go, that they may all go away satisfied; and that *Scarroyady* and *Andrew Montour*, particularly, may be made sensible of our Justice towards them, and the due Sense we have of their Trouble, and the Services they have done in Behalf of this Province. A Message to the Governor from the Assembly.

That "great Part of the *Sixty Thousand Pounds* so lately granted is already expended, "and that what remains will be very soon consumed in maintaining the Troops posted "on the Frontiers, and other necessary Services," as the Governor informs us in his second Message of the same Date, is what we know not how to help or avoid; but as the Assessment for sinking the Bills of Credit, issued in Pursuance of the said Act, is not yet laid or levied, and a great Part of that Money is still in Hand, we cannot think it will be of Use at this Time to lay an additional Load of Taxes upon the Inhabitants, as we shall very soon meet again upon the Adjournment now so absolutely necessary to our private Affairs, having waited long for the Governor's Answers to the Bills which we have laid before him.

The Bill for regulating the *Indian* Trade, we earnestly recommend to his serious Consideration, as we judge it a Bill of great Importance, if hereafter we should procure a Settlement at *Shamokin*, to conciliate the Minds of the *Indians* yet unfixed in their Resolutions, and confirming those already in Alliance with us, by suplying them with such Goods and other Things they may have Occasion for, on the easiest Terms, at the Charge, and under the immediate Inspection, of the Government."

And the said Message being signed by the Speaker, by Order of the House,

Ordered, That *Peter Dicks* and *Nathaniel Grubb* wait upon the Governor, and deliver the same, together with the following Message, *viz.*

May it please the GOVERNOR,

EVER since we received the Governor's Message of the Fourth of *March* last, relating to the putting a Stop to the Exportations of Provisions, in order to prevent a Scarcity within this Province, we have had that Matter under our serious Deliberation; and now, after a full Enquiry into the Circumstances of the Country, in the Particulars recommended to us, we hope, that under the common Course of God's good Providence, with which he has hitherto been graciously pleased to bless us, no considerable Dangers or Inconveniences may arise from referring the further Consideration of it to our next Meeting, A Message to the Governor from the Assembly.

1756. *April* 16. Meeting, at which Time we may be better able to judge of the Expediency or Neceſſity of ſuch a Prohibition, or what other Means in our Power may beſt anſwer the Ends propoſed.

Signed by Order of the Houſe,

ISAAC NORRIS, Speaker."

The Gentlemen ſent up with the foregoing Meſſages were likewiſe directed to acquaint the Governor with the propoſed Time of Adjournment, and to deliver him a Copy of his propoſed Amendments to the Bill for continuing the Exciſe Act.

The Committee of Accounts reported, that they had examined the Widow *Heinſelman's* Account, for the Maintenance of *Cayenquiloquoas's* two Sons, who were ſent to the Academy, and found the whole Amount thereof to be *Forty-ſeven Pounds Nine Shillings* and *Nine-pence*, one Half of which is chargeable to the Province, and the other to the Proprietaries, who by Agreement were to pay an equal Part with the Houſe for the Maintaining of the ſaid two *Indian* Lads.—Which Report was agreed to by the Houſe.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for *Twenty-three Pounds Fourteen Shillings* and *Ten-pence Half-penny*, payable to the ſaid *Heinſelman*.

The Speaker informed the Houſe that the Secretary had told him, that the Proprietaries had abſolutely refuſed to contribute towards the Maintenance of the ſaid *Indian* Lads any longer, and therefore if the Houſe thought it might be of any Service to have them continued here, and educated amongſt us, they muſt do it at the Expence of the Province.

And the Houſe taking the ſame into Conſideration;

Reſolved, That as *Cayenquiloquoas* is a principal Perſon among the *Six Nations*, and is deſirous to have his Sons educated amongſt the *Engliſh*, and as this Houſe are of Opinion, that the ſame may be attended with very good Conſequences not only to the Proprietaries, and this Province in particular, but to the *Britiſh* Intereſt in *America* in general, we will defray all ſuch reaſonable Expences as ſhall ariſe thereupon, for ſuch Time as it ſhall be judged neceſſary.

The Gentlemen return, and report, that they had delivered the Meſſages of the Houſe according to Order; and that the Governor was pleaſed to ſay, that he had no Objection to the propoſed Time of Adjournment; that he thought, with the Houſe, there was no immediate Neceſſity for laying an Embargo on Proviſions; that he ſhould lay before the Commiſſioners the Affair of the *Indians* now in Town, and endeavour to ſend them away well ſatisfied; that he expected the Houſe would have made ſome Preparations for executing the Plan of Operations for the enſuing Campaign, but as they had not, it muſt lie upon them; that as to the *Indian* Trade, and Exciſe Bills, he ſhould conſider them againſt the next Meeting; and laſtly, that he thought it proper to mention to the Houſe by their Meſſengers, that although he had had more Burdens laid upon him than any of his Predeceſſors in the ſame Time, yet he had received leſs from the Houſe than any of them.

And the Houſe taking into Conſideration what the Governor had ſaid relating to our not having made Preparations for executing the Plan of Operations for the enſuing Campaign;

Reſolved, That as this Province has received no Aſſiſtance from our Mother Country, and as we have already expended large Sums of Money for the Raiſing and Supporting a conſiderable Body of Men for the Defence of our extenſive Frontiers againſt the continued Depredations and Encroachments of a ſavage and mercileſs Enemy, beſides what has been expended in maintaining the Friendly *Indians*, *French* Neutrals, and in other Purpoſes for the King's Service, which Expences are likely to be continued for ſome Time, the Houſe are of Opinion, that the preſent Circumſtances of the Province will not now admit of their going into any Preparations for executing the aforeſaid Plan of Operations, and that it would be not only impracticable, but very imprudent, at a Time the Country is ſo greatly diſtreſſed by the unjuſtifiable Taking of indented Servants, and ſo many of our Freemen are inliſted and gone away, to ſend ſo great a Proportion of Men as is demanded of us to ſo great a Diſtance, and thereby deprive ourſelves of their Aſſiſtance, which we have too much Reaſon to think we ſhall ſoon have Occaſion for.

Adjournment Then the Houſe adjourned to the Twenty-fourth Day of the next Month, called *May*.

May 10. *Poſt Meridiem* THE Repreſentatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, Twenty-three Members met accordingly, but not Adjournment being a Quorum, they adjourned to Ten o'Clock To-morrow Morning.

May 11. A Quorum of the Members being met,

Ordered, That *Joſeph Trotter* and *Joſeph Stretch* wait upon the Governor, and acquaint him that the Houſe are met in Purſuance of his Writs, and ready to receive any Thing

he

he may have to lay before them; and desire he would be pleased to furnish them with a Copy of the Writs by which they were summoned. 1756. *May* 11.

The Gentlemen return, and report, that they had been at the Governor's House, and were informed by one of his Servants that the Governor was not in Town, and that it was not known when he would.

Ordered, That the Clerk do enquire of the Secretary, when he expects the Governor will be in Town.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Clerk reported, that he had, according to Order, enquired of the Secretary when he expected the Governor would be in Town, who informed him that he had not heard any Thing from the Governor concerning his Return. *Post Meridiem*

The Secretary brought down to the House a written Message from the Governor, which he informed the House he had just received by Express.

Then the Secretary withdrew.

And it being moved, that it would be proper for the House to see by what Authority they were summoned, before they proceeded upon Business;

Ordered, That the Clerk do acquaint the Secretary, that the House do not think it proper to proceed upon Business until they have a Copy of the Writs by which they were summoned.

The Clerk returned, and reported, that he had delivered the Message of the House, according to Order, and that the Secretary said, he had not thought any Thing concerning the Writs, and he believed the Governor had not; however, he would immediately acquaint the Council therewith.

The Secretary brought to the House one of the Writs by which the House were summoned, and the same was read, and ordered to lie on the Table for the Perusal of the Members.

Then the Message from the Governor was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'THE People of the Frontier Counties to the Westward, distressed by the cruel Ravages of the *Indians*, having lost great Numbers of their fighting Men, and the Remainder being either drove from their Habitations, into the interior Parts of the Province, or worn out with constant Watchings, there is the greatest Reason to apprehend, upon the next Attack, the Counties of *York* and *Cumberland* will be entirely evacuated, and the River *Susquehanna* become the Frontier on that Side, notwithstanding all the Commissioners and myself have been able to do for their Safety. The Consideration of this deplorable and dangerous Situation of those Counties, which the most considerable of their Inhabitants have in the most affecting Manner laid before me, induced me to call you together before the Time to which you stood adjourned, that the best and speediest Measures might be taken to prevent, if possible, the total Ruin and Desolation of so considerable a Part of the Province, which there is too much Reason to fear, from what has already happened, and that our Enemies will come in larger Bodies, and, favoured by the Season of the Year, do us much greater Mischiefs than they have hitherto done.

'The Law for the better ordering and regulating such as are willing and desirous to be united for Military Purposes within this Province, has contributed very little, if any Thing, towards the Defence of the Frontiers; and, as I observed to you when I passed it, is so defective in itself, and requires so much Time to carry it into Execution, that nothing good is to be expected from it: For though many Companies have formed themselves under that Law, yet as it is not in my Power to order any of them to the Frontiers, they are, as to that most material Service, entirely useless. I must therefore recommend it to you, to form such a Militia Bill as is just and equal, that may be carried into immediate Execution, and may enable me to draw the Strength of the Province to such Parts as stand most in Need of it, that the Burden of defending the Frontiers, and consequently the Province, may not fall too heavily upon the few Inhabitants whose Circumstances oblige them to remain in the Back Counties.

'By the latest Accounts from *Europe*, there is the greatest Reason to apprehend that the *French* have sent, or intend to send, a considerable Armament into *America*, which in all Probability will be the Seat of War; and, as I conceive, they will depend upon being supplied with Provisions from these Colonies, through the *Dutch* Settlements in the *West-Indies*, and have already had great Quantities that Way, it may greatly contribute to our Success, if that Channel of their procuring Supplies be stopped; which, in my Opinion, cannot be effectually done but by a general Embargo; and we shall thereby not only distress them, but be better able to supply his Majesty's Forces employed in our Defence: I therefore recommend it to you to prepare a Bill to enforce and render effectual, by proper Penalties, and the Sanction of a Law, such an Em-

1756. *May* 11.

'bargo as ſhall be thought neceſſary by myſelf and the Governors of the neighbouring 'Provinces to anſwer thoſe Ends.

'The Affairs of the Frontiers, and the particular Expedition for building a Fort at '*Shamokin*, which is of ſo great Importance to the Province, requiring my perſonal Care 'and Attendance here for ſome Time longer, it gives me Concern that I cannot be at '*Philadelphia* at this Time; but you may be aſſured I will give all the Diſpatch imagin-'able to any Bills you may propoſe, which the Secretary will ſend me from Time to 'Time by Expreſs.

Harris's Ferry, May 9, 1756. *ROBERT HUNTER MORRIS.*"

A Petition from the Officers of the Regiment of Militia, and Artillery Company, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that hoping to be ſerviceable to their Country in Time of Danger, the Petitioners, with many others, have formed themſelves into a Regiment, in Purſuance of the late Militia Law, and have uſed their utmoſt Endeavours to carry the ſame into full Execution, but without Effect; that they have yet no Articles or Rules formed for the Government of the Militia, nor (from ſundry Cauſes, well known to ſome Members of the Houſe) are they likely, under the preſent Law, to obtain any ſuch Rules, without which, all they have hitherto done muſt prove of little Service; the Petitioners therefore pray, that this Houſe would farther extend their Care of the Public Safety, by reconſidering the ſaid Law, and making ſuch additional Proviſions as ſhall render the ſame effectual for the Defence of the Province. *Ordered to lie on the Table.*

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 12. — The Governor's Meſſage was again read, and conſidered, and, after ſome Time ſpent therein,

Ordered, That *John Hughes*, *Benjamin Franklin*, *Joſeph Hamton*, *Peter Dicks*, *James Webb*, *John Smith* and *William Edmonds* be a Committee to prepare a Draught of an Anſwer to the ſame.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Governor's Meſſage being again read, and conſidered,

Ordered, That *John Hughes*, *Benjamin Franklin*, *Jonathan Ingham*, *Peter Dicks*, *James Webb*, *David M'Connaughy*, *John Smith* and *William Edmonds* be a Committee to prepare and bring in a Bill for laying an Embargo on Proviſions and Naval Stores within this Province.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 13. — An Account from *Richard Peters*, Eſq; for *Indian* Expences, was laid before the Houſe and read, and referred to the Conſideration of the Commiſſioners for diſpoſing of the *Sixty Thouſand Pounds* granted to the King's Uſe.

Two Letters from Governor *Hardy* to Governor *Morris*, with Copies of two Bills paſſed in that Colony for reſtraining the Exportation of Proviſions and Warlike Stores, were laid before the Houſe, by the Secretary, and read.

A Bill for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores from the Province of *Pennſylvania*, was brought in by the Committee appointed for that Purpoſe, read the firſt and ſecond times, and ordered to be tranſcribed for a third Reading.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — Upon Motion made,

Ordered, That the Superintendants of the State-houſe do agree with ſome ſuitable Perſon, on the moſt reaſonable Terms they can, to keep in proper Order the Clock belonging to the ſaid Building.

An Account from *John Clark*, of the County of *Lancaſter*, Goal-keeper, for the Maintenance of *Michael Ruſſell*, a ſuſpected *French* Spy, and for his Expences in bringing *John Hart* to *Philadelphia*, by Order of the Chief Juſtice, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Committee of Accounts reported, that they had examined the Account of *Richard Peters*, Eſq; for Expreſſes, and were of Opinion, that the ſame ought to be allowed by the Houſe; to which Report the Houſe agreed, and an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Bill, entituled, *An Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores from the Province of* Pennſylvania, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

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The Message to the Governor being transcribed, was again read, and is as follows, *viz.* 1756. *May* 14.

May it please the GOVERNOR,

A Message to the Governor from the Assembly.

BEING met in Pursuance of the Governor's Call, we are concerned that he cannot be at *Philadelphia* at the Time he appointed, since the transacting Public Business with him at so great a Distance must be attended with many Difficulties and Inconveniences.

As by the Care of the Governor and the Commissioners for disposing of the *Sixty Thousand Pounds* by us granted for his Majesty's Service, the Frontier of this Province is now in a better State of Defence than that of any other Colony on the Continent, being guarded by a Line of Forts at no great Distance from each other, all strongly garrisoned; and the Soldiery, in Pay of this Government, if they were at first remiss in their Duty, are now reduced to due Obedience and Discipline, by our extending hither at our last Sitting the Act of Parliament for punishing Mutiny and Desertion; we cannot but hope the distressed Inhabitants of the Counties of *York* and *Cumberland* may, by the Blessing of GOD on those Means, become more secure in their Settlements, and their late Fears and Apprehensions be considerably abated. Especially as we understand there are in the interior Counties many formed Companies, as yet unemployed, who are ready to enter into the Service, and march to the Frontier, whenever the Government shall think fit to call for them, and a considerable Sum is still in the Hands of the Commissioners, wherewith the Expence might be defrayed. The Marching of the Militia to the Frontier on every Alarm we conceive would be less effectual for its Defence, and much more expensive and burdensome to the People, than their Proportion of a Tax for the Maintenance of Standing Guards. We have indeed had little Experience of a Militia in this Province, and a Law for regulating it was a new Thing to us; it is therefore very possible that our first Essay of that Kind may have Defects and Imperfections. But as the Governor did not point them out, when we presented the Bill, and he gave it his Assent, and they have not since occurred to us, all we can say on that Head, at present, is, that whenever he shall think fit to send us down such supplementary Amendments as he conceives will make it a good Law, and effectual to answer its Purposes, we will take them into serious Consideration. This the Governor may possibly be ready to do by the Time to which we stood adjourned, now not far distant.

We have herewith sent a Bill for prohibiting the Exportation of Provisions or Warlike Stores from this Province, which we hope will meet with the Governor's Concurrence, being in Conformity with the Law lately passed in the Colony of *New-York*. But as all Restrictions laid upon such Exportations by the Legislature of this Province must be rendered altogether ineffectual, as great Quantities of the Produce thereof may be exported through the *Three Lower Counties*, not subject to our Laws, unless they are laid under the same Restrictions within that Government, we have referred the Continuance of our Law to such future Act as the Governor and Assembly of those Counties shall pass for that Purpose. We apprehend a strict Compliance with this Law will be of great Service to the *British* Interest, and therefore earnestly recommend it to the Governor to use his utmost Endeavours, that this Act, when it shall have received his Assent, may be effectually carried into Execution.

As the Season requires the present Attendance of many of the Members at their Plantations, they propose to adjourn this Day to the Time of their former Adjournment, the Twenty-fourth Instant; when they hope the Affairs the Governor is at present engaged in, may be in such a Situation as to permit his Return to meet them in *Philadelphia*."

And the same being signed by the Speaker, by Order of the House,

Ordered, That *David M'Connaughy* and *John Smith* do, on their Return Home, wait upon the Governor at *Harris's* Ferry, and deliver the same, together with the Bill for the more effectual obstructing the Exportation of Provisions and Warlike Stores, to which the House desire his Concurrence.

A Petition from the Officers of the Association Companies in the City of *Philadelphia* was presented to the House and read, setting forth, that the Reason why they have not acted under the present Militia Law, is, because they apprehend it to be deficient in several Respects (which are particularized by the Petitioners;) they therefore pray, that the said Law may be repealed, and a new one framed, wherein the Defects of the former may be remedied.

Ordered, That the said Petition and the Petition from the Officers of the City Regiment be referred to further Consideration.

Ordered, That the Trustees of the General Loan-Office do pay off a Year's Interest due on the Province Bills, or Orders, (which were drawn in Pursuance of a Vote of the last Assembly on the Second Day of the Month called *April*, 1755) to such Persons as shall demand the same.

The Committee of Accounts reported, that they had examined an Account from *David Magaw*, for Debts due to him from sundry of the *Ohio* Road-Cutters, and found that the

1756. *May* 14. the ſame were deducted from the ſaid Road-Cutters Accounts before they were reſpectively paid, and therefore the ſaid *Magaw's* Account ought to be paid by this Houſe.—To which Report the Houſe agreed; and an Order was accordingly drawn on the Treaſurer, for *Sixteen Pounds Four Shillings* and *Ten-pence*, the Amount of the ſaid Account, payable to *Joſeph Morris*, who had an Order from the ſaid *Magaw* to receive the ſame, and ſigned by the Speaker, by Order of the Houſe.

Adjournment Then the Houſe adjourned to the Twenty-fourth Day of this Month.

May 24. *Poſt Meridiem* THE Houſe met, purſuant to their Adjournment.

Ordered, That *Joſeph Stretch* and *John Hughes* wait upon the Governor, and acquaint him, that the Houſe are met, according to their Adjournment, and are ready to receive any Thing he may have to lay before them.

Sundry Letters from the Agents were laid before the Houſe by the Committee of Correſpondence and read.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 25. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had been at the Governor's Houſe, and were there informed by a Servant, that the Governor was not in Town, and that it was uncertain when he would.

The Speaker laid before the Houſe the Bill for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores from the Province of *Pennſylvania*, which he informed the Houſe he had received from the Secretary, who ſaid, that as the Governor's Preſence was required at *Harris's* Ferry, and the Law was immediately neceſſary, he had there affixed the Great Seal to the tranſcribed Copy, enacted it, and ordered it to be enrolled, without the uſual Formality of having it ingroſſed, *&c.*

And the ſame being read, and compared at the Table, and found to agree with the Copy in the Houſe, and the Houſe continuing in the ſame Opinion with regard to the ſaid Bill, it was ſigned by the Speaker, by Order of the Houſe, and *Joſeph Fox* and *William Callender* were ordered to ſee it depoſited in the Rolls Office.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to ſee the Law depoſited in the Rolls Office, report, that they had done the ſame according to Order.

Sundry Letters from *Robert Charles*, Eſq; one of the Agents of this Province at the Court of *Great-Britain*, were laid before the Houſe and read.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 26. The Secretary brought down to the Houſe two Meſſages from the Governor in Writeing, one of which he informed the Houſe was deſigned to have been delivered at the laſt Sitting, but it did not come to Hand till about Half an Hour after the Houſe had adjourned.

And the ſaid Meſſages being read, were as follow, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ‘ SINCE my Meſſage to you of the Ninth Inſtant, I have received Letters from Governor *Dinwiddie* and Governor *Sharpe*, which the Secretary will lay before you, ‘ giving an Account of the miſerable Situation of their Frontiers, and the Danger they ‘ are in from the Numbers of *Indians* and *French* that have already penetrated as far as ‘ *Wincheſter*.

‘ Upon Receipt of this Intelligence, I have ſent Orders to the Forts and Garriſons on ‘ the Weſtern Frontier to be upon their Guard, and to put themſelves into the beſt ‘ Poſture of Defence they poſſibly can, and am doing every Thing elſe in my Power that ‘ can contribute to the better ſecuring that moſt expoſed Part of our Frontier; but as ‘ thoſe Garriſons are but ſmall, and we have no Body of Forces on the Weſt-ſide of *Suſquehanna* ſufficient to take the Field, I am fearful they will not be able to maintain ‘ their Poſts againſt the Numbers of the Enemy that there is the greateſt Reaſon to expect will ſoon appear in thoſe Parts: And we ſhould therefore loſe no Time in preparing in ſome more effectual Manner for their Defence.

‘ I have received from the Governor of *New-York* Copies of an Act for a general Embargo on Proviſions and Warlike Stores, formerly paſſed there, and expired, and of an ‘ Act paſſed there the Fourth Inſtant, for reviving it for Twenty-one Days, and then ‘ from the Time that the Legiſlature of this Province and *New-Jerſey* ſhall reſpectively paſs Laws for thoſe Purpoſes, and to be of equal Continuance with thoſe Laws, provided they exceed not Three Months. And in his Letter, accompanying the Copies ‘ of the ſaid Acts, deſires our Concurrence in laying a general Embargo; which, being ‘ agreeable to my Sentiments, as mentioned in my laſt Meſſage to you, I again recommend it to you immediately to prepare and ſend me a Bill for that Purpoſe. I have ‘ ordered the Secretary to lay before you Copies of the ſaid Acts, with Sir *Charles Hardy's* Letter.

Harris's Ferry, May 12, 1756. *ROBERT HUNTER MORRIS.*”

GENTLE-

GENTLEMEN,

1756. *May* 26. A Message from the Governor to the Assembly.

'I Was in Hopes the Affairs I am engaged in here would have been in such Forwardness, that I might, without Prejudice to this important Part of the Public Service, have been in *Philadelphia* by the Time of your meeting To-morrow; but all the Dispatch I have been able to give them, has not brought them so forward as I could wish, and as the Season of the Year requires. However, I have the Satisfaction to acquaint you, that we have made a Lodgment in a very secure Place upon the River beyond the *Kittatinny* Hills, and above the two most difficult Falls, to which Place a considerable Part of the Provisions and Stores are removed, and the Remainder will be transported thither as fast as a Number of proper Boats can be got ready.

'The Secretary will lay before you a Letter I have received from Governor *Sharpe*, with the Extracts of an Act of his Government, for granting *Forty Thousand Pounds* for his Majesty's Service; by which you will see that it is expected we shall join in carrying on an Expedition to the Westward, and that *Twenty-five Thousand Pounds*, intended for that Service; is conditional, and not to be employed till Governor *Sharpe* has undoubted Assurances that *Virginia* and this Province will contribute their reasonable Quotas towards the supporting and carrying on such Expedition.

'You must be sensible, from what has already happened, that this Province has no Reason to expect either Peace or Safety while the *French* remain in Possession of the Country they have seized and fortified behind us; and that the most effectual Means of bringing the *Indians* back to their Alliance with, and Dependance upon, us, will be for these Western Colonies vigorously to unite their Strength in making a well concerted Push to dislodge the *French* from those their Encroachments; and no Time seems so favourable for that Purpose as while his Majesty's Troops, and those of the Eastern Provinces, are employed against them to the Northward. I must therefore recommend it to you, to take this Matter into your immediate Consideration, and enable me to give Governor *Sharpe* the expected Assurances that we will join and contribute our reasonable Proportion towards that Expedition, which, if successful, must tend so much to the Advantage and Security of this Province.

'By a Letter from Commodore *Spry*, an Extract of which will be laid before you, I find that he is in great Want of Seamen for his Majesty's Ships under his Command; a Number of which he desires may be sent him from these Colonies. As the having that Squadron fully manned at this Time is a Matter of great Importance to his Majesty's Service, and to the Safety not only of *Nova-Scotia*, but of the rest of the Continent; I therefore recommend it to you, to enable me, by Bounty or otherwise, to raise and send him as many Seamen as the Trade of the Province can spare, which will be a very seasonable and acceptable Service.

'I propose to leave this Place To-morrow, or on *Tuesday* at farthest, and hope to be with you by the Time you can have any Business prepared to lay before me.

Camp at *Harris's Ferry*, *ROBERT HUNTER MORRIS*."
May 23, 1756.

The several Letters and Papers referred to in the foregoing Message, were likewise read, and considered.

The Speaker laid before the House the following Letter from *John Smith*, one of the Representatives for the County of *Cumberland*, which he informed the House he had just received, *viz.*

SIR, *Carlisle*, *May* 20, 1756.

ON *Monday* last Mr. *M'Connaughy* and myself arrived at *Harris's* Ferry, and delivered the Bill to the Governor according to Order, together with the Message of the House; and the Governor was pleased to say, he would immediately pass the Bill into a Law, in our Presence. We asked him if that would do; he said it would do well enough, and requested that we would stay and see him affix the Great Seal to it; and accordingly we did stay. I am,

Sir, your most obedient humble Servant,

To Isaac Norris, *Esq*; JOHN SMITH."

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor's Messages were again read, and considered, and, after some Time spent therein, *Post Meridiem*

Ordered, That Commodore *Spry's* Request for Seamen be recommended to the Consideration of the Commissioners for disposing of the *Sixty Thousand Pounds* granted to the King's Use, for them to do therein what they shall judge necessary for his Majesty's Service.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

1756. *May* 27. The Governor's Meſſage, dated the Twenty-third Inſtant, was again read, and conſidered, and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

The Committee of Accounts reported on *John Clark's* Account, that they were of Opinion the ſame ought to be allowed, amounting to *Eight Pounds Seven Shillings.*——To which Report the Houſe agreed, and an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe reſumed the Conſideration of the Governor's Meſſage of the Twenty-third Inſtant; and, after ſome Time ſpent therein,

Reſolved, That a farther Sum of Money be at this Time granted to the King's Uſe; and that the ſame be ſtruck in Paper Bills of Credit, and ſunk by a Tax on all the Eſtates, Real and Perſonal, and Taxables, within this Province.

Ordered, That *John Hughes, Benjamin Franklin, Mahlon Kirkbride, Nathaniel Pennock, James Webb, Joſeph Armſtrong* and *William Edmonds* be a Committee to prepare and bring in a Bill purſuant to the foregoing Reſolve.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 28. The Committee appointed to prepare a Draught of a Bill for granting an additional Sum of Money to the King's Uſe, reported, that they had made ſome Progreſs therein, but not having compleated the ſame, deſired further Time for that Purpoſe.

Reſolved, That this Houſe will now adjourn to next *Second-day,* in order to give the ſaid Committee Time to prepare the ſaid Bill.

Adjournment. Then the Houſe adjourned to next *Second-day,* at Three o'Clock, *P. M.*

May 31. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Committee appointed to prepare a Draught of a Bill for granting an additional Sum of Money to the King's Uſe, reported, that they had made ſome conſiderable Progreſs therein, but not having compleated the ſame, deſired farther Time.

Ordered, That the ſaid Committee have Time till To-morrow Afternoon to compleat the ſaid Bill.

Adjournment. Then the Houſe adjourned to Three o'Clock To-morrow Afternoon.

June 1. A Bill for granting the Sum of *Pounds* to the King's Uſe, and

Poſt Meridiem for ſtriking the ſaid Sum in Bills of Credit, and to provide a Fund for ſinking the ſame, was brought in by the Committee appointed for that Purpoſe, read the firſt time, and ordered a ſecond Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

June 2. Sundry Letters from the Agents were laid before the Houſe by the Committee of Correſpondence, and read, and ordered to lie upon the Table for the Peruſal of the Members.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, together with ſeveral Papers therein referred to, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ‘ I HAVE directed the Secretary to lay before you Extracts from two Letters of Sir *Charles Hardy's,* relating to *Indian* Affairs, as alſo the Minutes of what has been ‘ tranſacted with the *Indians* on *Suſquehanna,* in Conſequence of thoſe Letters; by which ‘ you will ſee the Diſpoſition thoſe People are in, and the Deſire they have to be diſtinguiſhed from the *Indians* that have joined the *French,* and to renew their Alliance and ‘ Friendſhip with us.

‘ The Council have adviſed me upon this Occaſion, to publiſh a Proclamation for a ‘ Suſpenſion of Hoſtilities, that the Meaſures now taking for an Accommodation may ‘ meet with no Obſtruction, nor any Umbrage be given to thoſe *Indians* for preventing ‘ the bringing that Affair to a ſatisfactory Iſſue; and I propoſe to ſend the Proclamation ‘ forthwith to *Diaoga,* accompanied with a proper Meſſage, and make no Doubt of the ‘ neceſſary Support from you in the Proſecution of theſe Meaſures.

‘ In order to render the late Embargo permanent and effectual, I have called the Aſ‘ ſembly of the Lower Counties to meet at *New-Caſtle* on *Friday* the Fourth Inſtant, ‘ and ſhall recommend it to them to paſs a Law to the ſame Effect with that lately paſ‘ ſed here; and as that will only occaſion an Abſence of three or four Days, I imagine ‘ it will not interrupt any Buſineſs that you may have under Conſideration.

Philadelphia, June 2, 1756. *ROBERT HUNTER MORRIS.*”

And the foregoing Meſſage being again read, and conſidered,

Ordered, That *Joſeph Stretch, Benjamin Franklin, Samuel Brown, George Aſhbridge, Peter*

1756.

Peter Worral, *John Smith*, *Francis Parvin* and *William Edmonds* be a Committee to prepare a Draught of an Answer to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 2. Adjournment

The Committee appointed to prepare a Draught of an Answer to the Governor's Message of Yesterday, reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

June 3.

And the same being accordingly done, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

A Message to the Governor from the Assembly.

AS it appears by the Letters from Sir *Charles Hardy*, and the Minutes of Sir *William Johnson's* Negotiations with a Deputation from the *Onondagoes* to the *Delaware* and *Shawanese Indians*, as well as by the Account of what has been transacted with the *Indians* on *Susquehanna*, which the Governor has been pleased to lay before us, that the *Delaware* and *Shawanese Indians*, by the Authority and Interposition of the *Six United Nations*, "have promised to cease from further Hostilities, and are disposed to renew and "strengthen their Alliance and Friendship with the *English*," the Governor will not fail of the necessary Support in the Prosecution of such Measures as may tend to a happy Issue of this good Disposition in the *Delaware* and *Shawanese* Tribes; and accordingly we heartily recommend it to the Commissioners appointed by Law to dispose of the *Sixty Thousand Pounds* lately granted to the King's Use, to concur with the Governor in furnishing such Supplies of Money as may be necessary for effectuating these good Purposes.

We are of Opinion, that the Bill for regulating the *Indian* Trade, which has lain a considerable Time before the Governor for his Assent, might be of great Service at this Juncture, by bringing such of our *Indians* as have never joined with, and desire to be distinguished from, those who have been concerned in the Hostilities committed upon the Back Settlements of this and the neighbouring Provinces, under the immediate Inspection and Care of this Government; and as by the Passing this Bill, we apprehend the Necessities of these our Friendly *Indians* may be supplied, and their Affections secured on the easiest Terms, and those of other Dispositions brought in by their own Interests, we request the Governor would concur with us in passing that Bill."

And the said Message being signed by the Speaker, by Order of the House,

Ordered, That *James Pemberton* and *Joseph Stretch* wait upon the Governor, and deliver the same.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Gentlemen report, that they had delivered the Message of the House according to Order; and that the Governor was pleased to say, he would reconsider the Bill for regulating the *Indian* Trade.

The Governor, by the Secretary, sent down to the House a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'YOU are sensible that the Trouble and Expence attending the Administration of 'the Government, since my Arrival, have been considerably greater than in any 'former Time, and that no Sums, since your first Sessions, have been granted for my 'Support; I must therefore desire you will take this Matter into your Consideration, and make such Provision as is agreeable to Justice, and the Practice of former Assemblies.

Philadelphia, *June* 3, 1756. *ROBERT HUNTER MORRIS.*"

The Secretary informed the House, that the Governor desired that they would return him the Paper of proposed Amendments, which he sent down with the Bill for regulating the *Indian* Trade; and the same was delivered to the Secretary accordingly.

Ordered, That *Joseph Fox* and *William Callender* wait upon the Governor, and acquaint him, that the House are very desirous of knowing the Governor's Result on the Excise, Watch, and *Indian* Trade Bills, that have lain so long under his Consideration, before he goes to *New-Castle*, if possible.

A Petition from *Joseph Yeates*, a Prisoner for Debt in the Goal of *Philadelphia*, was presented to the House and read, setting forth, that he is willing to give up all that he is worth in the World towards satisfying his Debts, but finds all his Endeavours for that Purpose ineffectual, through the Obstinacy of the Person at whose Suit he is confined; that he has no Hopes of ever being able to work on the Compassion of his said Creditor, is utterly unable to pay the Debt, and being excluded from the Benefit of the Acts of Assembly of this Province for Relief of insolvent Debtors, by the Largeness of his Debt, he has the shocking Prospect of lingering the Remainder of his Days in Goal (he being at this Time upwards of Fifty Years old) if this House will not intefere in his Behalf; the Petitioner therefore prays, that this House will take his unhappy Case into Consideration, and grant him such Relief as to their Wisdom shall seem meet.

Ordered to lie on the Table.

The

1756. *June* 3. The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that he would again take the three Bills under his Conſideration, but he believed that he ſhould not come to any Reſult upon them till after his Return from *New-Caſtle*.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

June 4. A Petition from *Peter Conrad*, of the County of *Berks*, was preſented to the Houſe and read, ſetting forth, that the Petitioner is in diſtreſſed Circumſtances, occaſioned by the *Indians* burning his Mill, *&c.* and therefore prays this Houſe would grant him Relief in the Premiſes. *Ordered to lie on the Table.*

Reſolved, That this Houſe will this Day adjourn to the Twenty-eighth Inſtant.

Ordered, That *John Smith* and *William Edmonds* wait upon the Governor, and deſire to know whether he has come to any Reſult upon thoſe Bills now before him, and if the Governor ſhould ſay he had not come to any Reſolution upon the ſaid Bills, then to acquaint him, that the Houſe incline to adjourn to the Twenty-eighth Inſtant, if he hath no Objection thereto.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had been at the Governor's Houſe, and were there informed that the Governor was gone to *New-Caſtle*.

James Pemberton, *Joſhua Morris*, *William Callender*, *William Peters*, *Peter Worral* and *Francis Parvin*, Members of this Houſe, having requeſted Leave to reſign their Seats, for Reaſons ſet forth in a Paper ſigned by them, which they this Afternoon preſented to the Houſe and read, it was, after ſome Time ſpent in Conſideration thereof,

Reſolved, That, if, after the Adjournment of the Houſe, the ſaid Members ſhall continue in the ſame Mind, and deliver the before-mentioned Paper into the Hands of the Speaker, their Seats ſhall be deemed vacated accordingly; and the Speaker ſhall forthwith iſſue his Order to the Provincial Secretary for the electing new Members in their Places.

Adjournment Then the Houſe adjourned to the Twenty-eighth Inſtant.

June 28. THE Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Speaker informed the Houſe, that *James Pemberton*, *Joſhua Morris*, *William Callender*, *William Peters*, *Peter Worral* and *Francis Parvin*, having, immediately after the Adjournment of the Houſe, delivered to him the ſame Paper which they read at the laſt Sitting, requeſting Leave to reſign their Seats (by which Act of theirs they became diſabled to ſit or ſerve in Aſſembly, in Purſuance of a Vote of the Houſe expreſsly declaring, that upon Performance of the ſaid Act the Seats of the before-mentioned Perſons ſhould be deemed vacated) he had thereupon, according to the Directions of the Houſe, ſent an Order to the Secretary to iſſue Writs to the Sheriff of the City and County of *Philadelphia*, and to the Sheriffs of the Counties of *Cheſter*, *Lancaſter* and *Berks*, reſpectively, for electing other Perſons to ſerve in Aſſembly, in the Room and Stead of thoſe who reſigned as aforeſaid. But the Secretary refuſing to iſſue the ſaid Writs, the Speaker had, by the Advice of ſuch Members as were in Town, iſſued the Writs himſelf, according to the Direction of the Law in that Caſe made and provided.

Then the Speaker laid before the Houſe the following Papers, *viz.*

1. The Requeſt of the Six Members to reſign their Seats in Aſſembly.
2. A Copy of the Speaker's Order to the Secretary to iſſue Writs for a new Election.
3. The Secretary's Letter to the Speaker, concerning the Governor's Objections to iſſuing the ſaid Writs.
4. A Copy of the Speaker's Anſwer to the ſaid Letter.
5. The Secretary's Letter in Reply.
6. A Copy of the Speaker's Letter to the Sheriffs, incloſing Writs for a new Election.
7. A Copy of the Speaker's Writs to the Sheriffs for a new Election.

And the foregoing Papers being ſeverally read, were ordered to be put upon the Minutes of this Houſe.

And they accordingly follow in theſe Words, *viz.*

May it pleaſe the Speaker and the Houſe,

Requeſt of ſix Members to reſign. A FEW Days ſince we communicated to the Houſe our Inclinations to reſign our Seats; in which the Houſe appeared diſpoſed to favour us.

This Repetition of our continuing in thoſe Intentions does not proceed from any Deſign of involving the Houſe in unneceſſary Trouble, but as many of our Conſtituents ſeem of Opinion that the preſent Situation of Public Affairs call upon us for Services in a military Way, which, from a Conviction of Judgment, after mature Deliberation, we cannot comply with, we conclude it moſt conducive to the Peace of our own Minds, and the Reputation of our religious Profeſſion, to perſiſt in our Reſolutions of reſigning

our

our Seats, which we accordingly now do; and requeſt theſe our Reaſons may be entered on the Minutes of the Houſe. 1756. *June* 28.

Philadelphia, *Sixth Month*, 1756.

JAMES PEMBERTON,
JOSHUA MORRIS,
WILLIAM CALLENDER,
WILLIAM PETERS,
PETER WORRAL,
FRANCIS PARVIN."

To the Provincial SECRETARY for the Time being.

Speaker's Order to the Secretary.

WHEREAS *James Pemberton* and *Joſhua Morris*, choſen to ſerve in Aſſembly for the County of *Philadelphia*; *William Callender*, choſen to ſerve in Aſſembly for the City of *Philadelphia*; *William Peters*, choſen to ſerve in Aſſembly for the County of *Cheſter*; *Peter Worral*, choſen to ſerve in Aſſembly for the County of *Lancaſter*; and *Francis Parvin*, choſen to ſerve in Aſſembly for the County of *Berks*; have each and every of them reſigned and vacated their Seats in this Aſſembly; whereupon I am deſired and impowered by the Houſe of Repreſentatives to iſſue my Order for a new Election of Members to ſerve in Aſſembly in their Room and Stead:

Theſe are therefore, purſuant to the Direction of a Law of this Province, to require thee forthwith to iſſue Writs to the Sheriff of the City and County of *Philadelphia*, and to the Sheriffs of the Counties of *Cheſter*, *Lancaſter* and *Berks*, reſpectively, for electing other Perſons to ſerve in Aſſembly in their Stead.

June 7, 1756. ISAAC NORRIS, *Speaker*."

SIR, *Philadelphia*, *June* 9, 1756.

Letter from the Secretary.

AGREEABLE to your Order of Yeſterday, I prepared Writs to the ſeveral Sheriffs for the Election of new Members of Aſſembly to ſerve in the Place and Stead of *James Pemberton*, *Joſhua Morris*, *William Callender*, *William Peters*, *Peter Worral* and *Francis Parvin*, Eſquires, according to the incloſed Form, and laid them, with your Order, before the Governor, in the ſame Manner as I have always done on the Receipt of ſuch Orders; who obſerved, that by the Law of the Fourth Year of Queen ANNE, to aſcertain the Number of Members of Aſſembly, and to regulate Elections, on which he preſumes the Order is founded, and from which all Power in theſe Caſes is derived, Writs to be iſſued, in Conſequence of the Speaker's Order, are expreſsly confined to the particular Caſes of Death, wilful Abſence, or a Vote of the Houſe diſabling a Member to ſit or ſerve in Aſſembly, and that the Caſe of Reſignation aſſigned in your Order for a new Election is not taken Notice of, or provided for by that Act, and therefore he could not think it right to ſign thoſe Writs; of which I think it my Duty to give you this Information: And am,

Sir, your moſt obedient humble Servant,
RICHARD PETERS, *Provincial Secretary*."

Speaker's Letter to the Secretary.

BY a Paper in my Poſſeſſion, ſigned by all the Members who have vacated their Seats in Aſſembly, the Houſe, upon conſulting the Precedents upon their Minutes, and the Law of the Fourth of Queen ANNE, reſolved, that if thoſe Members ſhould, after the riſing of the Houſe, ſtill continue their Reſolution of attending the Service of the Country no longer, and ſignify that Reſolution by leaving the Paper which they preſented, and was read in the Houſe, then the Speaker ſhould iſſue his Order for a new Election. —I have deſired the Sheriff to procure this Reſolve of the Houſe from the Clerk, which he will deliver herewith. I hope this Explanation may be ſatisfactory to the Governor, and that the Writs may iſſue as the Law directs, in Purſuance of the Order I have given by the Authority and Direction of the Houſe.

June 10, 1756. *I am your aſſured Friend*,
To Richard Peters, *Eſq*; ISAAC NORRIS, *Speaker*."

SIR, *Philadelphia*, *June* 11, 1756.

Secretary's Letter to the Speaker.

I LAID your Letter, delivered me by the Sheriff, and the Extract from the Minutes of the Houſe, before the Governor, who, after conſidering them, hath deſired me to let you know, that your Explanation of the Manner in which the Members therein mentioned are ſaid to have reſigned and vacated their Seats in Aſſembly, fails of giving him that Satisfaction on the Occaſion you ſeem to expect. He is ſtill of Opinion, that the Caſe of Reſignation is not provided for by the Act of the Fourth of Queen ANNE; and that as the Six Members did ſit and vote in the Houſe at the Time of Adjournment, he does not conceive that any Act done in the Receſs of the Houſe can vacate their Seats, or diſqualify them from ſitting in Aſſembly at the next Meeting. I am,

Sir, your moſt obedient humble Servant,
To Iſaac Norris, *Eſq*; RICHARD PETERS."

Speaker's Letter to the Sheriffs.

THE Provincial Secretary not complying with my Order to him, according to the Direction of the Act of the Fourth of Queen ANNE, entituled, *An Act to aſcertain*

1756. *June* 28. *the Number of Members of Assembly, and to regulate the Elections*, I do now issue the inclosed Writ, in Pursuance of the said Act.

ISAAC NORRIS, *Speaker.*"

The Honourable ROBERT HUNTER MORRIS, *Esq*; *Lieutenant Governor and Commander in Chief of the Province of* Pennsylvania, *and Counties of* New-Castle, Kent *and* Sussex, *on* Delaware,

To the SHERIFF *of the City and County of* Philadelphia, *Greeting.*

Writ to the Sheriff for a new Election.

WHEREAS *James Pemberton* and *Joshua Morris*, Esquires, chosen to serve in Assembly for the County of *Philadelphia*; and *William Callender*, Esq; chosen to serve in Assembly for the City of *Philadelphia*, have each and every of them resigned, and by the Authority of the House of Representatives vacated their Seats in the Assembly; these are therefore to authorize and require thee to cause two Freeholders to be elected according to Law, to serve in Assembly for the said County of *Philadelphia*, in the Room and Stead of the said *James Pemberton* and *Joshua Morris*, and one other Freeholder, to serve in Assembly for the said City of *Philadelphia*, in the Room of the said *William Callender*, and make Return thereof according to Law. Given under my Hand and Seal, at *Philadelphia*, the Fifteenth Day of *June*, in the Year of our Lord One Thousand Seven Hundred and Fifty-six, and in the Twenty-ninth Year of his Majesty's Reign.

To James Coultas, *Esq*; ISAAC NORRIS, *Speaker.*"

A Return of the Sheriff of the City and County of *Philadelphia* was brought to the House, whereby it appeared that *Thomas Leech* and *Daniel Roberdeau* were chosen Representatives to serve in Assembly for the said County the Remainder of the present Year, in the Room and Stead of *James Pemberton* and *Joshua Morris*; and that *William Masters* was chosen Representative to serve in Assembly for the said City, the Residue of the present Year, in the Room and Stead of *William Callender*.

A Return of the Sheriff of the County of *Chester* was brought to the House, by which it appeared, that *John Morton* was chosen Representative to serve in Assembly for the said County, in the Room and Stead of *William Peters*.

A Return of the Sheriff of the County of *Lancaster* was brought to the House, by which it appeared, that *Emanuel Carpenter* was chosen Representative to serve in Assembly for the said County, in the Room and Stead of *Peter Worral*.

A Return of the Sheriff of the County of *Berks* was brought to the House, whereby it appeared, that *John Potts* was chosen Representative to serve in Assembly for the said County, in the Room and Stead of *Francis Parvin*.

The House taking the said Papers and Returns into Consideration,

Resolved, N. C. D. That the said *Thomas Leech*, *Daniel Roberdeau*, *William Masters*, *John Morton*, *Emanuel Carpenter* and *John Potts* are duly elected Members of this House.

Ordered, That *Joseph Hamton* and *Calvin Cooper* wait upon the Governor, and acquaint him, that the House are met, pursuant to their Adjournment, and ready to receive any Thing he may have to lay before them.

Adjournment *June* 29. Then the House adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to ask how many Members there were met in the House; and upon being informed that there were *Thirty-one*, he said that he should lay something before the House this Morning.

Thomas Leech, *Daniel Roberdeau*, *William Masters*, *John Morton* and *Emanuel Carpenter* appearing in the House, took and subscribed the usual Qualification by Law appointed to be taken by the Members of Assembly, and then took their Seats in the House accordingly.

Sundry Letters from the Agents were read; also a Bill of Exchange for *Three Hundred Pounds* Sterling, drawn by them on the Committee of Correspondence, for public Services to be accounted for by them hereafter;

Resolved, That the said Bill of Exchange be accepted and paid by the Trustees of the General Loan-Office.

The Governor, by the Secretary, sent down to the House a Message in Writing, with sundry Papers therein referred to, which were read, and the Message is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'HIS Majesty having been pleased to appoint the Earl of *Loudon* Commander in Chief of all his Forces in *North-America*, and ordered two Regiments of Foot, a Train of Artillery, and a sufficient Quantity of Warlike Stores for the Service and Defence of these Colonies, he has commanded me to give his Lordship and the Troops all

'all the Assistance in my Power, and particularly to recommend it to you, to appro- 1756.
'prietate such Part of the Funds already raised, or which shall be raised for the Public June 29.
'Service, to be issued and applied to the general Service, in such Manner as the Com-
'mander in Chief shall direct.

'His Majesty, enabled by Act of Parliament, has been pleased to appoint a Number 'of *German*, *Swiss* and *Dutch* Protestants to be Officers of a Regiment which he has 'called the *Royal American Regiment*; and it being of great Importance to his Majesty's 'Service that proper Encouragement be given to such Persons as may be inclined to in-'list in the King's Troops, he has ordered me particularly to recommend it to you to 'make Provision out of such Funds as already exist, or may hereafter be raised for the 'King's Service, for repaying the Masters of such indented Servants as shall engage in 'his Majesty's Service, the Money paid by the said Masters upon the original Contract, 'in Proportion to the Time such indented Servants have to serve.

'His Majesty has further commanded me to recommend it to you, to pass effectual 'Laws for prohibiting all Trade and Commerce with the *French*, and to prevent their 'being supplied with Provisions; and as the Law lately passed here for an Embargo will, 'by the Expiration of the Act for that Purpose passed in the Lower Counties, end on 'the Seventh of *July*, I hope you will prepare a proper Bill for continuing an Embargo, 'so necessary for his Majesty's Service, and the Safety of these Colonies, for some Time 'longer.

'The Secretary will lay before you Extracts of the Secretary of State's Letters to me, 'relating to the Matters now recommended, and I hope you will without Delay enter 'upon the Consideration of them, and comply with his Majesty's Expectations.

'The Money heretofore given for the King's Use will be very soon expended, and I 'shall in that Case be under a Necessity of disbanding the Troops raised for the Defence 'of the Province, and of destroying or abandoning the several Forts erected upon our 'Frontiers; I must therefore desire you will grant such further Supplies as the present 'Situation of our Affairs require.

Philadelphia, June 29, 1756. *ROBERT HUNTER MORRIS.*"

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor's Message was again read, and considered, and, after some Time spent *Post Meridiem* therein,

Ordered, That *Joseph Stretch*, *William Masters*, *Mahlon Kirkbride*, *Joseph Gibbons*, *James Wright*, *John Wright*, *John Smith* and *William Edmonds* be a Committee to prepare a Draught of an Answer to that Part of the Governor's Message which relates to the Continuation of the Embargo on Provisions.

The Bill for granting the Sum of *Pounds* to the King's Use, and for striking the said Sum in Bills of Credit, and to provide a Fund for sinking the same, which was brought in at the last Sitting, was again taken up, read the second time, and considered; and after some Time spent therein, was referred to farther Consideration.

Ordered, That *William Hoge* and *George Ashbridge* wait upon the Governor, and acquaint him, that the House desire to know whether he has come to any Result upon the three Bills now before him.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

John Potts, returned a Representative for the County of *Berks*, in the Room of *Francis* *June* 30. *Parvin*, appearing in the House, took and subscribed the Qualification by Law appointed to be taken by Members of Assembly, and then took his Seat in the House accordingly.

The Gentlemen appointed to wait upon the Governor, report, that they had delivered the Message of the House according to Order, and that the Governor was pleased to say, that be thought the Bill for continuing the Excise Act, and the Bill for regulating the *Indian* Trade, had been returned to the House Yesterday; but since they were not, he should send them down to the House this Day; and as to the Watch and Lamp Bill, he had made some Amendments thereto, which he had referred to his Council for their Consideration, who had not as yet come to any Conclusion thereupon.

The Committee appointed to prepare a Draught of an Answer to that Part of the Governor's Message which relates to the Embargo on Provisions, reported the same to the House; and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

The Governor, by the Secretary, sent down to the House the Bill for continuing the Excise Act, with sundry proposed Amendments thereto, and the Bill for regulating the *Indian* Trade, together with a Message in Writing, and a Copy of an Instruction from the Proprietaries.

And the said Message and Instruction being read, are as follow, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'THE Secretary will lay before you the Bill, entituled, *An Act for the continuing an* '*Act for laying an Excise on Wine, Rum, Brandy, and other Spirits*, to which I have

'added

1756. *June* 30.

'added a Clauſe, that the Money ariſing thereby ſhall be diſpoſed of in ſuch Manner as 'the Governor and Commander in Chief, and in Caſe of his Death or Abſence, the 'Preſident of the Council, and the Houſe of Repreſentatives ſhall direct and appoint.— 'This Manner of diſpoſing of the Public Money appears to me moſt conducive to the 'general Intereſt, and you will obſerve by an Article in the Proprietary Inſtructions to 'me, which I ſend you herewith, that I am reſtrained from paſſing any Bill of that Na- 'ture without ſuch an appropriating Clauſe.

'I have reconſidered the Bill, entituled, *An Act for ſupplying the Weſtern and North- 'ern* Indians, *Friends and Allies of* Great-Britain, *with Goods at more eaſy Rates, ſupport- 'ing an Agent or Agents among them, and preventing Abuſes in the* Indian *Trade*, and the 'Amendments I heretofore made to it, and am ſtill of Opinion that they are juſt and 'reaſonable; and I cannot therefore recede from them.

Philadelphia, June 30, 1756. *ROBERT HUNTER MORRIS.*"

An INSTRUCTION from the Honourable THOMAS PENN *and* RICHARD PENN, *Eſquires, true and abſolute Proprietaries, and Governors in Chief of the Province of* Pennſylvania, *and Counties of* New-Caſtle, Kent *and* Suſſex, *on* Delaware,

To ROBERT HUNTER MORRIS, *Eſq; Lieutenant-Governor of the ſaid Province and Counties.*

An Article of the Proprietaries Inſtructions to the Governor.

'YOU ſhall not give your Aſſent to any Law for prolonging the preſent Exciſe, or 'laying any other Exciſe, or raiſing any Money on the Inhabitants of the ſaid Pro- 'vince of *Pennſylvania*, unleſs there be an enacting Clauſe, that all Money ariſing from 'the ſaid Exciſe, or other Duties, ſhall be diſpoſed of only as we, or either of us, exer- 'ciſing the Office of Governor, or the Lieutenant Governor, or in Caſe of his Death or 'Abſence, the Preſident of the Council, and the Houſe of Repreſentatives, for the Time 'being, ſhall direct, and not otherwiſe."

A true Copy, examined with the Original, by

RICHARD PETERS, *Secretary.*

The Governor's propoſed Amendments to the Bill for continuing the Exciſe Act were read, and conſidered, and referred to farther Conſideration.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o'Clock, *P. M.*

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

IN Anſwer to that Part of the Governor's Meſſage of the Twenty-ninth Inſtant, wherein he has been pleaſed to ſignify his Majeſty's Commands that he ſhould recommend our "paſſing effectual Laws for prohibiting all Trade and Commerce with the "*French*, and to prevent their being ſupplied with Proviſions," the Governor muſt know, that at the Requeſt of Sir *Charles Hardy*, and in Purſuance of his own Recommendation, in a Meſſage of the Twenty-third of *May* laſt, we paſſed an Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores from this Province, which is yet in Force, and would have continued ſo till the Fourth of *Auguſt* next, the Time limited by the Law of *New-York* for like Purpoſes, provided the Three Lower Counties of *New-Caſtle, Kent* and *Suſſex* had paſſed a Law for prohibiting the Exportation from thence during the ſame Term.

As Proviſions might be exported from this Province through thoſe Counties, not ſubject to our Laws, and great Quantities are raiſed there, we were fully apprized that any Reſtraints we could lay upon our Exportations here would by no Means put a Stop to the Supplying the *French* with Proviſions, unleſs that Government prohibited the Exportations from thence alſo; we therefore limited the Continuance of our Act accordingly, and we muſt own the Aſtoniſhment we were under, when we found the Governor had enacted a Law there invalidating the Acts of the other Colonies, by limiting the Continuance of their Act to one Month only.

As our Act prohibits the Exportation of Proviſions in Conformity with the Law of *New-York* Colony, with which *New-Jerſey*, we underſtand, has alſo complied, the Governor cannot think it reaſonable, that the Colonies of *New-York*, *New-Jerſey*, and this Province, ſhould be deprived of their Laws by an Act of the Government of the Three Lower Counties; therefore as that Act was paſſed by the Governor himſelf, we preſume, inſtead of applying to us upon this Occaſion, he will think it his Duty to call the Aſſembly of the Three Lower Counties, to whom it belongs to continue their Law to the Time limited by the other Governments.

It is well known that *Maryland* raiſes great Quantities of Wheat, Pork, and other Proviſions, and yet, as we are informed, their Ports have hitherto continued open to the Exports of Proviſions from thence, the Governor will therefore judge the Neceſſity of

recommending

recommending a Prohibition there, without which, we apprehend the Acts of the Northern and Eastern Colonies must prove ineffectual." 1756. *June* 30.

And the foregoing Message being signed by the Speaker, by Order of the House;

Ordered, That *Griffith Owen* and *Samuel Brown* wait upon the Governor, and deliver the same.

The Speaker laid before the House a Letter he had just received from a Merchant of the City of *Philadelphia*, which was read, and is as follows, *viz.*

SIR, *Philadelphia, June* 30, 1756.

Letter from *J. Bell* to the Speaker.

IN Consequence of my Orders from the Contractor to supply his Majesty's Troops and Garrisons in *Newfoundland*, I have chartered and loaded the Brigantine *Princess Louisa*, of this Place, with Provisions for the Use of Colonel *Hopson's* Regiment, and the Detachments of the Train of Artillery there, on which Provisions they depend, and have no other Expectations of being supplied; but finding the Collector of his Majesty's Customs had not Authority to admit this Vessel to a Clearance, though loaded entirely for the Use of the King's Troops, of which I am ready to give any Proof or Satisfaction that may be required, I applied to the Governor, and prayed for an Order that the Vessel might be cleared, and received for Answer, "*That the Governor had laid my Application* "*before the Council, and the Board, in considering the Act lately passed, was unanimously of* "*Opinion, that no such Order could legally issue.*"

I have supplied the above-mentioned Troops with Provisions from hence these Six Years past, and being just come in from *London*, I did not know of any Act prohibiting the Exportation of Provisions for the Use of his Majesty's Troops in any Part of his Dominions, nor was I informed of it by any Person before the Vessel was ready to clear at the Custom-house: As she has been loaded some Time, the Cargo may sustain considerable Damage by a much longer Delay. I must therefore beg you will lay this Matter before the Honourable House of Assembly, who, I doubt not, will take the Affair into their Consideration, and extend the Law so as his Majesty's Service may not suffer, which, without Doubt, was their Intention when the Act was made.

As I am unacquainted with the Form of proceeding in such Cases, I hope you will excuse the Freedom of this Application: And believe me, very sincerely,

Sir, your most obedient, and most humble Servant,

To Isaac Norris, *Esq*; JOHN BELL."

And a Member of this House likewise represented and shewed to the House, by sundry Letters and Papers, that he had Orders from the Contractor for supplying his Majesty's Navy at *Jamaica* with Provisions, to ship a Quantity there for that Purpose; which he had accordingly done, and the Vessel had for some Time been ready for sailing, but the Governor had ordered the Collector not to clear her out, by Reason, as he said, that he and his Council were of Opinion, that the late Act for the more effectual obstructing the Exportation of Provisions and Warlike Stores, prohibited the same.

The Act *for the more effectual obstructing the Exportation of Provisions*, &c. being read, and considered,

Resolved, That the said Act is of the same Tenor with the Act of the Government of *New-York*, and was never intended in any wise to restrain the Exportation of Provisions for the Supplying his Majesty's Navy, or Garrisons abroad, and cannot, in our Opinion, be so understood but by the most forced Construction thereof.

Resolved, That to prevent any ill Consequences that may arise from such Interpretation of the said Act, a Bill be immediately prepared at the Table for permitting the Exportation of Provisions, Naval or Warlike Stores, for the Use of his Majesty's Ships or Garrisons.

A Bill, entituled, *A Supplementary Act to a Law of this Province, entituled, An Act for the more effectual obstructing the Exportation of Provisions and Warlike Stores from the Province of* Pennsylvania, being prepared at the Table, according to the Order of the House, was read the first time, and ordered a second Reading.

The Gentlemen appointed to wait upon the Governor with the Message of the House return, and report, that they had delivered the same according to Order.

The House resuming the Consideration of the Bill for granting the Sum of *Pounds* to the King's Use, and for striking the said Sum in Bills of Credit, and to provide a Fund for sinking the same;

Resolved, That the Sum of *Forty Thousand Pounds* be inserted in the said Bill as granted to the King's Use at this Time.——And the same was done accordingly.

After some further Time spent in Consideration of the said Bill, and sundry Alterations made therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

1756. *July* 1. *Ordered*, That *Richard Pearn* and *Daniel Roberdeau* be added to the Committee for auditing and ſettling the Public Accounts.

An Account from *John Clark*, of the County of *Lancaſter*, Goal-keeper, for the Maintenance of *Peter Griſlener*, a ſuſpected *French* Spy, for Six Weeks and one Day, at *Seven Shillings* and *Six-pence per* Week, and for Turnkey's Fees and Mittimus, amounting in the Whole to *Two Pounds Twelve Shillings* and *Seven-pence*, was laid before the Houſe and read, and referred to the Committee of Accounts.

An Account from *James Wright*, of *Lancaſter* County, for Sundries ſent as a Preſent from the Aſſembly to the Officers under the late General *Braddock*, when at Fort *Cumberland*, and for Flour ſent to the Mouth of *Conegocheague* for the Uſe of the *Britiſh* Troops, Expences for Carriage, *&c.* was laid before the Houſe and read, and referred to the Committee of Accounts.

One of the Commiſſioners for diſpoſing of the *Sixty Thouſand Pounds* granted to the King's Uſe by Act of Aſſembly, laid before the Houſe a Letter which they had received from *Richard Hockley*, one of the Proprietaries Receivers General; and the ſame being read, is as follows, *viz.*

GENTLEMEN, *Philadelphia, July* 1, 1756.

HAVING been informed that the Money remaining due to you upon the Proprietaries Order for *Five Thouſand Pounds* will ſoon be wanted to anſwer the Public Service, I think it my Duty to let you know, that notwithſtanding all my Care and Diligence to collect in the Arrears of Quitrent, I am not able to diſcharge the remaining Sum of *Four Thouſand Pounds* due on that Order, but ſhall uſe my beſt Endeavours to collect it as ſoon as poſſible; and in the mean Time, if that Sum could be ſtruck in Bills of Credit, to anſwer the preſent Service, they may be ſunk out of the Payments to be made from my Office upon that Order. I have conſulted the Governor upon this Head, who declares his Readineſs to concur with the Houſe of Aſſembly in a reaſonable Bill for that Purpoſe; And if you, Gentlemen, with whom the Diſpoſition of this Money is intruſted, will do me the Favour to propoſe the Thing to the Houſe, you will oblige,

To Iſaac Norris, James Hamilton, &c. *Commiſſioners for diſpoſing of the* 60,000 *Pounds.*

Gentlemen, your moſt obedient humble Servant,

RICHARD HOCKLEY."

And the Houſe taking the ſame into Conſideration,

Ordered, That the ſaid *Richard Hockley* have Leave to bring in a Bill for the Purpoſes mentioned in the foregoing Letter to the Commiſſioners.

The Supplementary Bill to a Law of this Province, entituled, *An Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores*, &c. was read the ſecond time, and ordered a third Reading.

The Houſe again reſumed the Conſideration of the Bill for granting *Forty Thouſand Pounds* to the King's Uſe; and after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Committee of Accounts reported on *James Wright's* Account, that they had examined the ſame, and were of Opinion, that a Balance of *Thirty-nine Pounds Five Shillings* and *Five-pence Halfpenny* was due to him from the Province, and ought to be paid by this Houſe.——To which Report the Houſe agreed; and an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Committee of Accounts reported on *John Clark's* Account, that they had examined the ſame, and were of Opinion, that *Five Shillings* and *Six-pence per* Week was a ſufficient Charge for the Maintenance of *Peter Griſlener*, which, with the Turnkey's Fees, would amount to *One Pound Eighteen Shillings* and *Four-pence*.—And the Houſe agreeing to the ſaid Report, an Order was drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame.

The Bill, entituled, *A Supplementary Act to a Law of this Province, entituled, An Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores from the Province of* Pennſylvania, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Joſeph Stretch* and *Daniel Roberdeau* do carry up the ſame to the Governor for his Concurrence.

The Houſe reſuming the Conſideration of the Governor's Meſſage of the Thirtieth of *June*, and the Proprietary Inſtruction ſent therewith, and his propoſed Amendments to the Bill, entituled, *An Act for continuing an Act, entituled, An Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits*; and alſo reconſidering the Meſſages between the Governor and Aſſembly, and the other Papers and Tranſactions during the laſt Year, in regard to the ſeveral Bills preſented to the Governor for granting Money to the King's Uſe;

Uſe; after ſome conſiderable Time ſpent therein, the Houſe came to the following unanimous Reſolutions, *viz.* 1756. *July* 1.

Reſolved, That it is the Opinion of this Houſe, that the ſaid Proprietary Inſtruction was the principal, if not the only, Obſtruction to the Paſſing the ſeveral Bills offered to the Governor by the laſt Aſſembly for granting Money for the King's Uſe.

Reſolved, That the Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits, paſſed in the Year 1744; and the Act granting *Five Thouſand Pounds* for the King's Uſe, paſſed the 24th of *June*, 1746, by which the ſaid Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits, was continued for Ten Years next after the firſt Day of *June*, 1746, have received the Royal Approbation.

Reſolved, That Acts laying an Exciſe on ſpirituous Liquors have been found neceſſary for defraying the Charges of Government, and have been continued within this Province for more than Thirty Years; and that the Governor's not paſſing the Bill preſented to him for continuing the Exciſe, upon the Terms of all our former Acts, repeatedly approved of by the Crown, from an Apprehenſion that he is reſtrained by the ſaid Proprietary Inſtruction, is evaſive and frivolous, and an Infringement of our juſt Rights; and that as Deputy Governor of this Province, he has, or ought to have, full Powers to give his Aſſent to all ſuch Bills as we have an undoubted Right to offer.

Reſolved, That the ſaid Inſtruction "is not calculated to promote the Happineſs and "Proſperity of this Province, and is inconſiſtent with the Prerogative of the Crown, and "the Liberties of the People;" and that all Proprietary Inſtructions, not warranted by the Laws of *Great-Britain*, are illegal and void in themſelves: Nevertheleſs, if the Governor ſhould apprehend himſelf bound by ſuch Proprietary Inſtructions, they may prove ruinous to the Province, and of dangerous Conſequence to the *Britiſh* Intereſt in *America*.

Reſolved, That the Houſe do adhere to the Bill for continuing the Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits, as it now ſtands, without admitting the Governor's propoſed Amendments thereto.

The Governor, by the Secretary, ſent down the Bill for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of *Philadelphia*, and for raiſing of Money on the Inhabitants and Eſtates of the ſaid City for defraying the neceſſary Expences thereof, with a verbal Meſſage, that he receded from his propoſed Amendments to the ſaid Bill, and was ready to paſs the ſame into a Law, whenever the Houſe ſhould preſent it to him for that Purpoſe.

Ordered, That the ſaid Bill be engroſſed.

The Gentlemen appointed to wait upon the Governor with the Supplementary Bill to the Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores, report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, that he would give it all the Diſpatch in his Power.

A Bill for the further continuing an Act, entituled, "An Act to prevent the Exportation of Proviſions, Naval or Warlike Stores, from this Province to *Cape-Breton*, or "to any other the Dominions of the *French* King, or Places at preſent in Poſſeſſion of "any of his Subjects," was prepared at the Table, by Order of the Houſe read the firſt time, and ordered a ſecond Reading.

Then the Houſe adjourned to Nine o'Clock To-morrow Morning. Adjournment

Ordered, That *Joſeph James* and *David M'Connaughy* wait upon the Governor, and deliver the Bill for continuing the Act for laying an Exciſe on Wine, Rum, Brandy, and other Spirits, together with a certified Copy of the Reſolves of the Houſe thereupon; and acquaint the Governor, that the Houſe requeſt he would be pleaſed to reconſider the ſaid Bill, and let them know his final Reſult thereupon as ſoon as poſſible. *July* 2.

The Bill for the further continuing the Act to prevent the Exportation of Proviſions, Naval or Warlike Stores to *Cape-Breton*, &c. was read the ſecond time, and ordered to be tranſcribed for a third Reading.

The Petition from *Joſeph Yeates*, now in the Goal of the County of *Philadelphia*, was again read, and conſidered, and referred to farther Conſideration.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Bill, entituled, *An Act for the further continuing an Act, entituled*, "An Act to "prevent the Exportation of Proviſions, Naval or Warlike Stores from this Province to "*Cape-Breton*, or to any other the Dominions of the *French* King, or Places at preſent "in Poſſeſſion of any of his Subjects," being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Joſeph James* and *David M'Connaughy* do carry up the ſame to the Governor for his Concurrence; and, beſides delivering the Bill and Meſſage they were charged with this Morning, acquaint the Governor, that the Houſe deſire to know if he has come to any Reſult upon the Supplementary Bill to the Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores.

The Gentlemen return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he had read the Supplementary Bill to

the

1756. *July* 2. the Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores, but had not conſidered it: Upon which the Members informed the Governor, that the Reaſon why the Houſe were ſo anxious to have the ſaid Bill paſſed, was, becauſe they underſtood that there were ſome Veſſels now in this Harbour, laden with Proviſions for his Majeſty's Fleet in the *Weſt-Indies*, and for his Garriſons in *Newfoundland*, ready to ſail, but could not obtain a Clearance, as the Law for the more effectual obſtructing the Exportation of Proviſions from this Province had been interpreted by the Governor and Council to prohibit the ſame. To which the Governor replied, that in Caſe the Legiſlature of the Three Lower Counties did not paſs an Act to continue the Embargo, the ſame would expire in a few Days, and then there would be no Neceſſity for the ſaid Supplementary Act; and if the Embargo Act of the Three Lower Counties ſhould be continued, he would have it in his Power to permit Veſſels laden with Proviſions or Stores for his Majeſty's Service to ſail at any Time, by the Bill which the Houſe had ſent him for that Purpoſe.

The Bill for granting the Sum of *Forty Thouſand Pounds* to the King's Uſe, and for ſtriking the ſaid Sum in Bills of Credit, and to provide a Fund for ſinking the ſame, being read the ſecond time, was ordered to be tranſcribed for a third Reading.

A Bill for ſtriking the Sum of *Four Thouſand Pounds* in Bills of Credit, to be replaced by the Receiver General, was brought in, purſuant to the Leave of the Houſe read the firſt time, and ordered a ſecond Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

July 3. *Ordered*, That *William Hoge* and *John Potts* have Leave to be abſent the Remainder of this Sitting on urgent Buſineſs.

The Bill for ſtriking the Sum of *Four Thouſand Pounds* in Bills of Credit, to be replaced by the Receiver General, was read the ſecond time, and debated; and, after a conſiderable Time ſpent therein, the ſame was referred to *Joſeph Stretch* and *John Hughes*, to be by them altered and amended, agreeable to the Sentiments of the Houſe thereupon.

The following Letter from one of the Proprietaries to their Receivers General was laid before the Houſe and read, *viz.*

GENTLEMEN, *London, October* 4, 1755.

Proprietor's Letter to the R. General. I HAVING acquainted *Robert Hunter Morris*, Eſq; by Letter of this Date, that on the preſent dangerous Situation of our Affairs in *America*, I thought it proper we ſhould ſhew our Readineſs to contribute towards the Public Charge, have reſolved to make a free Gift of the Sum of *Five Thouſand Pounds* Money of *Pennſylvania*, to be paid out of our Arrears of Quitrent; which Sum, I deſire you, will pay out of the ſaid Arrears, to ſuch Perſon or Perſons as ſhall be appointed by the Governor and Aſſembly to receive the ſame, and place to the Account of Charges. I am

To Richard Hockley *and* Edmund Phyſick, *Receivers General.*

Your very affectionate Friend,

THOMAS PENN."

The following Propoſal from ſundry Inhabitants of the City of *Philadelphia* was preſented to the Houſe and read, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of *Pennſylvania*, in GENERAL ASSEMBLY met, *July* 2, 1756.

AS we are informed, a Sum of Paper Currency is propoſed to be ſpeedily emitted; and knowing the good Diſpoſition of the late Aſſemblies towards eſtabliſhing the *Pennſylvania* Hoſpital; and as the Fund for erecting the ſame is expended, and the Building unfiniſhed, We, whoſe Names are under-written, deſire to be nominated and appointed Signers of the ſaid Currency; and whatſoever Sum you ſhall pleaſe to allow for our Service therein, ſhall wholly be applied towards finiſhing the ſaid Hoſpital.

William Grant,	*Joſeph Galloway,*	*Joſeph Morris,*
Joſeph Richardſon,	*George Bryan,*	*Samuel Smith,*
James Benezet,	*Charles Thomſon,*	*John Rhea,*
Samuel Wharton,	*Iſaac Paſchall,*	*Thomas Smith,*
Joſeph Wharton, jun.	*Charles Jones,*	*Jacob Cooper,*
Daniel Rundle,	*John Sayre,*	*William Fiſher,*
Peter Chevalier,	*Francis Rawle,*	*Joſeph Redman,*
William Hopkins,	*Thomas Wharton,*	*Luke Morris."*
Stephen Wooley,	*Joſeph Saunders,*	
Joſhua Howell,	*Peter Reeve,*	

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

A Petition from *George Hambleton*, of the County of *Cumberland*, was preſented to the Houſe and read, ſetting forth, that in *June* 1755, Captain *Ord*, of the Royal Train of Artillery, paſſed through the ſaid County to the Army, under the Command of the late

General

General *Braddock*, and being informed that the said Army had marched from *Wills's Creek* towards *Monongahela*, he impressed fourteen Horses belonging to the Petitioner and his Neighbours, as appears by the Captain's Certificate, and other Vouchers herewith produced; that at the Time of impressing, and at the *Little-Meadows*, where the Horses were discharged, the said Captain assured the Petitioner, that this was a Provincial Charge, and that the Government of *Pennsylvania* would pay it on seeing his Certificate; that the Petitioner relying on this, applied to Governor *Morris*, when at *Carlisle*, for Payment thereof, and did not then understand that any other Objection was made to the Application, than that the Proofs then produced were not sufficient, the Petitioner therefore, having procured further Proofs, which he hopes will be sufficient humbly prays that this House would examine them, and be pleased to order him Payment. 1756. July 3.

Ordered, That the said Petition and Account, with the Vouchers, be referred to the Committee of Accounts.

The Bill, entituled, *An Act for granting the Sum of* Forty Thousand Pounds *to the King's Use, and for striking the said Sum in Bills of Credit, and to provide a Fund for sinking the same*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *John Morton* and *John Wright* do carry up the same to the Governor for his Concurrence.

The Committee to whom the Bill for striking the Sum of *Four Thousand Pounds* in Bills of Credit, to be replaced by the Receiver General, was referred for Amendment, reported the same to the House, with sundry Alterations they had made therein, the Principal of which were in the Title and Preamble.

And the original Title and Preamble to the said Bill, with the Title and Preamble proposed by the Committee, were read, and are as follow, *viz.*

Original Title and Preamble to the Bill for striking 4,000 £. &c.

'An Act for striking the Sum of *Four Thousand Pounds* in Bills of Credit, to be replaced by the Receiver General.

'Whereas the Honourable the Proprietaries of this Province have been pleased to make 'a free Gift of the Sum of *Five Thousand Pounds*, to be applied towards the Public 'Charge; and by their Order, dated the Fourth Day of *October* last, did direct their 'Receiver General, in this Province, to pay the said Sum, out of the Arrears of Quit-'rent due to them, to such Persons as should be appointed by the Governor and Assembly 'to receive the same: And whereas, by an Act of General Assembly of this Province, 'passed at *Philadelphia* in the Twenty-ninth Year of his Majesty's Reign, entituled, *An 'Act for granting the Sum of* Sixty Thousand Pounds *to the King's Use, and for striking* 'Fifty-five Thousand Pounds *thereof in Bills of Credit, and to provide a Fund for sinking 'the same*, among other Things it was enacted, that the said Sum of *Five Thousand 'Pounds* should, immediately after the Publication of the said Act, be paid by the Re-'ceiver General into the Hands of *Isaac Norris*, *James Hamilton*, *John Mifflin* and *Ben-'jamin Franklin*, Esquires, and *Joseph Fox*, *John Hughes* and *Evan Morgan*, Gentle-'men, to be disposed of by them, or the major Part or Survivors of them, with the Con-'sent and Approbation of the Governor or Commander in Chief of this Province for 'the Time being, and not otherwise. And whereas the Receiver General hath not yet 'been able to pay to the said Persons more than the Sum of *One Thousand Pounds*, in Part 'of the said Order; to the End therefore, that the good Intentions of the Proprietaries 'in the said Gift may be fully answered, and the Public may receive the immediate Be-'nefit thereof, Be it enacted, *&c.*

The Title and Preamble as altered by the House.

'*An Act for striking the Sum of* Four Thousand Pounds *in Bills of Credit, and to pro-'vide for sinking the same by yearly Payments, to be made by the Proprietary's Receiver Ge-'neral, to the Trustees of the General Loan-Office of this Province, for that Purpose.*

'Whereas the Honourable Proprietaries of this Province have been pleased to make a 'free Gift of the Sum of *Five Thousand Pounds*, to be applied towards the public Charge, 'in Consideration of being exempted from the Payment of their Taxes towards raising 'the Sum of *Sixty Thousand Pounds*, granted by this Assembly to the King's Use. And 'whereas the Honourable THOMAS PENN, by an Order under his Hand (a Duplicate 'whereof has been delivered to this Assembly by the Receiver General) dated the Fourth 'Day of *October* last, did direct the Receiver General of this Province to pay the said 'Sum of *Five Thousand Pounds* out of the Arrears of Quitrent due to the said Proprie-'taries, to such Persons as should be appointed by the Governor and Assembly to receive 'the same. And whereas by an Act of General Assembly of this Province, passed at '*Philadelphia* in the Twenty-ninth Year of his Majesty's Reign, entituled, *An Act for 'granting the Sum of* Sixty Thousand Pounds *to the King's Use, and for striking* Fifty-five 'Thousand Pounds *thereof in Bills of Credit, and to provide a Fund for sinking the same*, 'among other Things it was enacted and provided, that the said Sum of *Five Thousand 'Pounds* should, immediately after the Publication of the said Act, be paid by the Re-'ceiver General into the Hands of *Isaac Norris*, *James Hamilton*, *John Mifflin* and *Ben-'jamin Franklin*, Esquires, and *Joseph Fox*, *John Hughes* and *Evan Morgan*, Gentlemen,

1756. *July* 3. ‘ to be diſpoſed of by them, or the major Part or Survivors of them, with the Conſent ‘ and Approbation of the Governor or Commander in Chief of this Province for the Time ‘ being, and not otherwiſe. And whereas the Receiver General hath not yet paid to the ‘ ſaid *Iſaac Norris*, *James Hamilton*, *John Mifflin*, *Benjamin Franklin*, *Joſeph Fox*, *John* ‘ *Hughes* and *Evan Morgan* more than the Sum of *One Thouſand Pounds*, in Part of the ‘ ſaid *Five Thouſand Pounds*: And the ſaid *Fifty-five Thouſand Pounds*, granted to the ‘ King's Uſe, being near expended, by the Orders drawn upon the Truſtees of the Ge- ‘ neral Loan-Office, and by them paid for the King's Uſe: To the End therefore that ‘ the Proprietaries Gift may be fully anſwered, and the Public receive the immediate ‘ Benefit thereof, Be it enacted by, *&c.*”

And the latter Title and Preamble being approved of, and agreed to by the Houſe, the ſaid Bill was read the ſecond time, and ordered to be tranſcribed for a third Reading.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Eleven o'Clock in the Morning.

July 5. The Houſe met, purſuant to their Adjournment.

The Gentlemen appointed to wait upon the Governor with the Bill for granting *Forty Thouſand Pounds* to the King's Uſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he ſhould give it all the Diſpatch in his Power; but that he could not ſay when the Houſe might expect to know his Reſult thereupon, as he was this Day going to *New-Caſtle*, in order to meet the Aſſembly of the Three Lower Counties.

The Bill entituled, *An Act for ſtriking the Sum of* Four Thouſand Pounds *in Bills of Credit, and to provide a Fund for ſinking the ſame, by yearly Payments to be made by the Proprietaries Receiver General to the Truſtees of the General Loan-Office of this Province for that Purpoſe*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Derrick Hogeland* and *William Edmonds* do carry up the ſame to the Governor for his Concurrence, and acquaint him that the Houſe deſire to know whether he will paſs into a Law the Bill that has received his Aſſent, and if he will let the Houſe know his Reſult upon the Bills under his Conſideration before he goes to *New-Caſtle*.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, with a Paper containing ſome *Indian* Intelligence from *Northampton* County, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ‘ THE Secretary will lay before you a Copy of the Intelligence of *Nicodemus* and ‘ *Joe Piepe*, two *Indians* that lately came to *Bethlehem* from the Place called *Diahoga*, ‘ upon the *Suſquehanna*, by which you will ſee that the Weſtern *Indians* were forming ‘ themſelves into a Body, with an Intention to attack this Province about the Time of ‘ Harveſt. This Intelligence I received on *Saturday*, and have diſpatched Orders to the ‘ Forces to be upon their Guard, and directed them to be thrown into ſuch a Diſpoſition ‘ as would moſt effectually aſſiſt and protect the People in their Harveſt. If upon Con- ‘ ſideration of this Matter any other Meaſures are neceſſary for the Public Safety, you ‘ will enable me to take them.

Philadelphia, *July* 5, 1756. *ROBERT HUNTER MORRIS*.”

The Gentlemen appointed to wait upon the Governor, with the Meſſage of the Houſe, return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he did not know of any Bill that was ready to be paſſed into a Law: That the Members thereupon informed him, that the Bill for regulateing the Watch, and enlightening the Streets of the City, had met with his Approbation, and was ordered to be engroſſed, that it might be enacted. To which the Governor replied, that the Houſe had not ſent him any Meſſage to acquaint him of their having agreed to his propoſed Amendments to the ſaid Bill, but that he was ready to paſs into Laws any Bills that were duly prepared for that Purpoſe.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee of Accounts made the following Report in Writing, *viz.*

WE your Committee having examined the Account of *George Hambleton*, and the Depoſitions of himſelf and ſundry other Perſons, for Horſes and Guides impreſſed by *Robert Chambers*, Eſq; for the Uſe of Captain *Thomas Ord*, and the Detachment of the Royal Artillery, under the Command of the late General *Braddock*, do find the following Sums due to the Perſons whoſe Names are annexed, *viz.*

To *Robert Reynolds*,	£ 3	0	0
To *George Hambleton*,	3	0	0
To *Hugh Hunter*,	1	16	0
To *Samuel Leard*,	1	0	0
Carried over	£ 8	16	0

				Brought over	8	16	0	1756:
To *James Brown*,	—	—	—	—	1	0	0	*July* 5.
To *William Morehead*,	—	—	—	—	1	0	0	
To *Samuel Williamſon*,	—	—	—	—	11	0	0	
To *William M'Connell*,	—	—	—	—	6	10	0	
Which we ſubmit to the Houſe,					£ 28	6	0	

JOSEPH FOX, JOSEPH STRETCH, RICHARD PEARNE."

Reſolved, That the foregoing Accounts be allowed by this Houſe.

And an Order was accordingly drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for Payment of the ſame to *Joſeph Armſtrong*, Repreſentative for the County of *Cumberland*, to be by him paid to the reſpective Perſons above-mentioned.

An Order was likewiſe drawn on the Treaſurer, and ſigned by the Speaker, by Order of the Houſe, for *Three Pounds Sixteen Shillings* and *Six-pence*, payable to the ſaid *Joſeph Armſtrong*, for *John Cox*, of *Cumberland* County, being the Balance of his Account for Services done on the *Ohio* Road.

Ordered, That *Mahlon Kirkbride* and *James Wright* wait upon the Governor, and acquaint him, that the Houſe are of Opinion, that the Supplementary Bill to the Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores, which has lain for ſome Time before the Governor for his Concurrence, is a Bill of great Importance to the Supplying his Majeſty's Ships and Forces with Proviſions; and alſo that the Bill for granting *Forty Thouſand Pounds* to the King's Uſe, now before the Governor, will, if he paſſes it, ſufficiently enable him to take any Meaſures that may be neceſſary on Account of the Intelligence he has received from *Joe Piepe* and *Nicodemus*.

The Gentlemen return, and report, they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, that he thought there was no immediate Neceſſity for paſſing the Supplementary Bill to the Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores, as in caſe the Aſſembly of the Three Lower Counties ſhould not continue their Act for laying an Embargo, all the Ports would of Courſe be open in a Day or two; and if they ſhould prolong the ſaid Act, and this Houſe would ſend him a Meſſage, expreſſing their Sentiments concerning the given Liberty to Veſſels laden with Proviſions and Stores for his Majeſty's Service to ſail from this Port, he ſhould think himſelf impowered to let them paſs, notwithſtanding the Embargo; for that the Reaſon why he had not permitted ſuch Veſſels to clear out hitherto, was, becauſe he thought it a dangerous Precedent for one Branch of the Legiſlature to diſpenſe with an Act of both: And that as to the Bill for granting *Forty Thouſand Pounds* to the King's Uſe, he had not read it through, but he thought it ſtood in Need of Amendment, as did ſome of the other Bills lying before him.

The Gentlemen likewiſe reported, that upon the Governor's informing them that he was juſt then going to ſet off for *New-Caſtle*, to meet the Aſſembly there, they acquainted him, that as it would be extremely inconvenient to the Country Members to ſit together till his Return, the Time of Harveſt being now near at Hand, and as there was no Buſineſs of Importance but what lay before the Governor, the Houſe had Thoughts of adjourning this Day to the Second Day of the next Month, by which Time they were in Hopes the Harveſt would be nearly over; and that the Governor was pleaſed to ſay, that he had no Objection to their adjourning over the Harveſt, and that he approved of the Time propoſed.

Reſolved, That any ill Conſequences that may attend the Governor's not paſſing the Bill, entituled, *A Supplementary Act to a Law of this Province, entituled*, "*An Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores from the Province of* Pennſylvania," which provides for the Exportation of Proviſions and Warlike Stores for the King's Garriſons and Ships abroad, will not lie at the Door of this Houſe.

Then the Houſe adjourned to the Second Day of the next Month, called *Auguſt*. Adjournment

THE Repreſentatives of the Province having been, by Virtue of the Governor's Writs to the Sheriffs of the ſeveral Counties for that Purpoſe directed, ſummoned to meet him this Day in Aſſembly, the Houſe met accordingly. *July* 19. *Poſt Meridiem*

The Speaker laid before the Houſe a Copy of one of the Writs whereby the Houſe were ſummoned, which he had received from the Secretary for that Purpoſe; and the ſame being read, was ordered to lie on the Table for the Peruſal of the Members.

Ordered, That *Joſeph Stretch* and *Daniel Roberdeau* wait upon the Governor, and acquaint him, that the Houſe are met in Purſuance of his Writs, and ready to receive any Thing he may have to lay before them.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to deliver them a Meſſage in Writing, with ſundry Papers therein referred to, and others relating to Public Affairs.

And

1756. *July* 19.

And the ſame being read, the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'AT your Inſtance I called the Aſſembly of the Lower Counties, and preſſed them to continue the Prohibition of Proviſions and Warlike Stores to the Time limited by the Laws of *New-York* and *Jerſey*, but they choſe only to continue it till the Twentieth Inſtant, and from thence for ſo long Time as the Legiſlature of this Province ſhould paſs or continue a Law for the like Purpoſes, provided the ſame did not exceed the Twenty-ſecond Day of *October* next.——I am thereby laid under the diſagreeable Neceſſity of calling you together at this buſy Seaſon, in order to have the Embargo continued for the ſame Time that it is in the Provinces of *New-York* and *Jerſey*; and as the Acts of Aſſembly paſſed for the Prohibition of Proviſions and Warlike Stores will expire with To-morrow, I hope you will immediately enter upon this Matter, and give it all the Diſpatch the Nature of the Thing requires.——The Secretary will lay before you a Copy of the Act of the Lower Counties, and you will, by proper Clauſes in the Law you may think it neceſſary on this Occaſion to propoſe, leave me at Liberty to ſend Supplies to ſuch of the King's Ships and Forces as may be employed in any Part of *America*, and to put the Trade of this Place, while the Embargo laſts, upon the ſame Footing it is in the other Bread Colonies.

Philadelphia, July 19, 1756. *ROBERT HUNTER MORRIS.*"

The Speaker laid before the Houſe the Bill for ſtriking the Sum of *Four Thouſand Pounds* in Bills of Credit, and to provide a Fund for ſinking the ſame, by yearly Payments to be made by the Proprietaries Receiver General to the Truſtees of the General Loan-Office of this Province for that Purpoſe, which he informed the Houſe he had received from the Secretary, who ſaid that the Governor was willing to paſs the ſaid Bill into a Law, provided the Houſe would agree to leave out the whole Preamble, and let the Bill begin with the enacting Clauſe.

Adjournment

Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

July 20.

The Governor's Meſſage was again read, and conſidered, together with the ſeveral Papers ſent down therewith; and, after ſome Time ſpent therein,

Ordered, That *Thomas Leech*, *William Maſters*, *Joſeph Hamton*, *George Aſhbridge*, *James Webb*, *John Potts* and *William Edmonds* be a Committee to prepare a Draught of an Anſwer to the ſaid Meſſage.

The following Petition from ſundry Merchants, *&c.* of the City of *Philadelphia*, was preſented to the Houſe and read, *viz.*

To the Honourable the REPRESENTATIVES of the FREEMEN of the Province of *Pennſylvania*, in GENERAL ASSEMBLY now ſitting.

The PETITION of divers Merchants, Owners and Maſters of Veſſels, now in the Port of Philadelphia, *in Behalf of themſelves, and others intereſted therein.*

Humbly ſheweth,

Petition from the Merchants, *&c.* againſt the Embargo.

THAT your Petitioners, preſuming the Embargo laid here the Twenty-third of *May* laſt on all Veſſels loaded with Proviſions, would terminate at the Time the Embargo expired in the Government of the Counties of *New-Caſtle*, *Kent* and *Suſſex*, on *Delaware*, *to wit*, on the Seventh Inſtant, did load their reſpective Veſſels, in Part, with Proviſions, as is uſual in Time of free Trade. That at the Expiration of that Time, your Petitioners, upon Application to the Cuſtom-houſe for the neceſſary Clearances, finding that the Governor had lodged Inſtructions with his Majeſty's Collector of this Port, not to clear any Veſſels that were ſo loaded, and ſince further learning, that the ſaid Government of the Three Lower Counties have lately extended their Act to the Twentieth Inſtant, and for ſuch further Time as ſhall be thought neceſſary by this Government, therefore take this Liberty humbly to repreſent the great Loſs which your Petitioners conceive will be ſuſtained not only by the Owners of the Veſſels ſo loaded, victualled and manned, lying in Port at great Expence, but by the Proprietors of the periſhable Proviſions on board ſuch Veſſels, many of whom are young Traders, and not able to bear ſo heavy a Loſs, as likewiſe by the Trading Part of this Province in general, which muſt very ſhortly be felt in a ſevere and ſenſible Manner, in Caſe the Prohibition ſhould continue a longer Time than by a late Law of this Province is directed, as the Cargoes already ſhipped may very probably periſh (more eſpecially at this Seaſon of the Year) and a general Stagnation of Trade muſt enſue, Proviſions being our Staple; beſides the great Loſs and Diſadvantage to the Province for Want of a due Circulation of Caſh.

That your Petitioners, notwithſtanding the Premiſes, ſhould not have preſumed to have troubled your Honourable Houſe therewith, were they convinced it was really neceſſary for his Majeſty's Service that the Embargo ſhould be continued, and that this

Province

Province was on an equal Footing with his Majesty's other Colonies to the Northward and Southward; for as to the former, your Petitioners apprehend it will rather tend to the Distress of his Majesty's Subjects in the Islands, who, your Petitioners think, by the Time the Vessels might arrive, may be in Want of Provisions; and as to the latter, *Boston* has little to export of Provisions, save Fish, which is excepted in their Embargo; and *New-York*, great Part of their Produce is taken off by the Army, by which Means they have a tolerable Market; and if the Embargo is to continue here till it is certainly known to be off there, that Colony will have greatly the Advantage of this Place, as they will have the Start, and may make the best Part of their Passage, before your Petitioners are advised thereof, and consequently take the best of the Markets from your Petitioners. 1756. *July* 20.

Your Petitioners further pray Leave to observe, that as to the Southern Colonies, *viz.* *Virginia* and *Maryland*, their Ports have been free for Provisions a long Time past, and now are, as your Petitioners are informed; and it is well known, the latter Province raises great Crops of Grain, and that their Exports, in the Provision Way, are very considerable; so that this Province appears abundantly the most distressed at present in its Trade; and if the Embargo is continued a much longer Time, this Province will be in very calamitous Circumstances.

That as a War with *France* is generally believed to be actually declared in *England*, and daily expected here, such Vessels as are now ready to sail, have a tolerable Prospect of safe Passages, the Risk at present not being so hazardous as it must consequently be a While hence; so that if detained much longer, the Danger of the Enemies Privateers on this Coast will be considerably encreased, your Petitioners having great Reason to believe and expect a Visit in that Way. That the Trade of *Lisbon*, *Madeira* and *Cadiz* hath oftentimes heretofore proved of great Advantage, in taking off a considerable Quantity of the Produce of this Province, and may now be carried on without interfering with the Intent of a Prohibition, an Interruption to which may be of considerable Prejudice to this Trade, more especially as a constant Bounty of at least *Five Shillings per* Quarter is granted by Act of Parliament on the Exportation of Wheat from *Great-Britain:* Certificates may be produced from the Consuls of those Places for the Delivery of the Cargoes there, for which your Petitioners are willing to give Security upon clearing at the Custom-house here.

That your Petitioners, with great Submission, conceive Bonds, with sufficient Penalties, may effectually prevent any Trade with the *Dutch*, or Neutral Islands, by which Channel the *French* have had Supplies of Provisions; and as a War with *France* must of Course stop all immediate Trade from hence to the *French* Islands, our Enemies cannot obtain Supplies, unless from the *English* Islands in such Case the Fault must lie with them; and as your Petitioners presume, the Governor's of those *English* Islands have proper Instructions on that Head, hope, if any Neglect of Duty happen there, your Petitioners may not suffer for other than their own Conduct.

Wherefore your Petitioners humbly address this Honourable House, that you will be pleased to take under your most serious Consideration their present distressed Circumstances (especially such whose Vessels are, and have been, a considerable Time loaded, and those whose Cargoes are ready to put on board) and afford them such Relief and Assistance therein as you in your Wisdom shall judge most expedient, in nowise doubting your ready and hearty Disposition towards the general Good and Service of your Country; and your Petitioners will ever pray, *&c.*" *Ordered to lie on the Table.*

A Public News-paper, printed in *England*, entituled, "The Evening Advertiser, "No. 334. From *Saturday*, *April* 17, to *Tuesday*, *April* 20, 1756," containing an Extract of a Letter from a Correspondent at *Philadelphia*, dated *February* 23, 1756, and signed *W. Smith*, was laid before the House, read, and considered; and, after some Time spent therein, it was

Resolved, That the said Extract of a Letter contains divers wicked Calumnies against Numbers of sober and valuable Inhabitants of this Province, and likewise most infamous, libellous, false and scandalous Assertions against the two Branches of the Legislature of this Province.

And it being represented to the House, that it is highly probable that one *William Smith*, now Provost of the College in *Philadelphia*, is the Author of the before-mentioned *Extract of a Letter*; it was thereupon

Ordered, That the Speaker do forthwith issue his Order to the Serjeant at Arms, requiring him to bring the said *William Smith* to the Bar of this House, at Five o'Clock this Afternoon, to answer such Questions as shall then and there be put to him.

And the Speaker issued his Order to the Serjeant at Arms accordingly.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House being informed that *William Smith*, Provost of the College of *Philadelphia*, attended at the Door, in Custody of the Serjeant at Arms, *Post Meridiem*

Ordered, That the said *Smith* be brought to the Bar of this House, and that the Speaker

1756. *July* 20. do demand of him, whether he is the Author of the Extract of a Letter which was read to the Houſe this Morning.

He was accordingly brought to the Bar, and the ſaid Extract of a Letter read to him, and then put into his Hands for his Peruſal. After which the Speaker interrogated him as follows; to which he made the Anſwers reſpectively ſubjoined, *viz.*

1. Whether he had wrote any Letter, dated on or about the Twenty-third of *February*, 1756, or at any other Time, of which, from the Tenor thereof, the Paper now read to him could be an Extract?

Anſw. *'Tis not to be ſuppoſed that I can be prepared to anſwer this Houſe, whether I have wrote any Letter, on or about the 23d of* February, 1756, *or at any other Time, of which, from the Tenor thereof, the Paper referred to could be an Extract; as the Queſtion, in my Opinion, ſuppoſes that I can remember the Tenor of all the Letters I have wrote.*

2 Q. Whether, to the beſt of his Memory, he did, or did not, write any ſuch Letter, on or about the Date ſpecified in the firſt Queſtion, or at any other Time?

Anſw. *I do not conceive that I ought to charge my Memory with any Thing of that Nature; nor do I conceive that I am obliged in Law to make any other Anſwer than what I have already done.*

And the Houſe not thinking it neceſſary to aſk the ſaid *Smith* any more Queſtions at this Time, he was ordered to withdraw. But he having before he went deſired that he might have a Copy of the Queſtions which the Speaker had aſked him, and his Anſwers thereto, alſo a Copy of the Order to the Serjeant at Arms for bringing him to the Bar of the Houſe, the Clerk was directed to make out the ſaid Copies, and deliver them to him accordingly.

The Houſe taking into Conſideration the Anſwers given by the ſaid *William Smith*, to the Queſtions put to him by the Speaker, unanimouſly

Reſolved, That the ſaid Anſwers are trifling and evaſive, and plainly indicate him to be the Author of the "*Extract of a Letter from a Correſpondent at* Philadelphia, *dated* "February 23, 1756," which was publiſhed in the *Evening Advertiſer*, No. 334.

Reſolved, That as this Houſe have Matters of conſiderable Moment before them at this Time, and can ſtay but a little While together, that all further Proceedings in Relation to the ſaid *Smith*, be poſtponed to a more convenient Opportunity.

Ordered, That the ſaid *William Smith* be therefore diſcharged out of the Cuſtody of the Serjeant at Arms, for the preſent.

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read, agreed to, with ſome Amendments, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Which being accordingly done, it was again read, and is as follows, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

ON the 4th of *May*, 1756, the Legiſlature of *New-York* paſſed an Act to revive an Act more effectually to reſtrain the Exportation of Proviſions and Warlike Stores from that Colony, to be in Force for Twenty-one Days, and after that Time to ſuch Time as the Legiſlature of *New-Jerſey* and *Pennſylvania* ſhould paſs Acts for like Purpoſes, provided thoſe Acts did not exceed three Months from the Paſſing of that Act, which was from the Fourth of *May* to the Fourth of *Auguſt* next enſuing.

Sir *Charles Hardy* having recommended to our Governor, that he ſhould lay before the Aſſembly of this Province, the Neceſſity of enacting a Law of the ſame Tenor within this Government; and the Houſe being convinced that ſuch an Act would be totally uſeleſs, unleſs the Three Lower Counties of *New-Caſtle*, *Kent* and *Suſſex* (not ſubject to our Laws) were included, paſſed an Act on the Thirteenth of *May*, of the ſame Tenor, and nearly in the ſame Words, with the Act of *New-York*, to be in Force till the Seventh of *June*, and from thence for ſo long Time as the Legiſlatures of the Colony *New-Jerſey*, and the Counties of *New-Caſtle*, *Kent* and *Suſſex*, upon *Delaware*, ſhould reſpectively paſs Laws for the like Purpoſes, provided they exceeded not the Time limited by the Law of *New-York* Government.

On the Twenty-ninth of *May* the Legiſlature of *New-Jerſey* paſſed an Act, to be in Force from the Firſt Day of *June* to the Firſt Day of *Auguſt*, and from thence for ſo long Time as the Legiſlatures of the Colonies of *New-York* and *Pennſylvania* ſhould reſpectively paſs Laws for the like Purpoſes, provided they did not exceed Three Months from the ſaid Firſt Day of *Auguſt*.

This being the State of the Laws laying an Embargo on the Exportation of Proviſions and Warlike Stores; firſt, by the Colony of *New-York* on the Fourth, then by this Government on the Thirteenth, and by *New-Jerſey* the Twenty-ninth of *May* laſt; it is moſt unkind, and give us Leave to ſay, in our Opinion, unbecoming the Dignity of Government, that in the Governor's laſt Meſſage he ſhould not take the leaſt Notice of any Law being ever paſſed by us for laying any Embargo within this Port, but only mentions

tions his having preſſed the Aſſembly of the Lower Counties " to continue the Prohibi- 1756.
" tion of Proviſions and Warlike Stores, to the Time limited by the Laws of *New-York* July 20.
" and *New-Jerſey*," as if no ſuch Law had ever been paſſed by himſelf within this Province! What Purpoſe ſuch a Conduct towards us is to anſwer, the Governor beſt knows. —— But when he proceeds in his ſaid Meſſage to propoſe to us " to have the Embargo " continued for the *ſame Time* that it is in the Provinces of *New-York* and *Jerſey*," we muſt confeſs we are entirely at a Loſs to know what the Governor would mean, our preſent Act coming preciſely within the Governor's Recommendation; being made in Compliance with the Law of *New-York*. If the Lower Counties have not complied with thoſe Terms, it is not to be imputed to the Aſſembly of this Province, who have fully diſcharged their Part to make the Embargo effectual.

We entreat the Governor to conſider and reflect on the Share he has had in the Laws of the Lower Counties, paſſed by himſelf, which ſeem calculated to give this Houſe unneceſſary Trouble to no good Purpoſe whatever: For now when he has thought fit to call us together in the Height of our Harveſts, our Servants generally taken from us, and the Country in Want of Labourers, What has the Governor been pleaſed to propoſe, but to paſs an Act to continue the Embargo " for the ſame Time that it is in the Provinces " of *New-York* and *Jerſey*," which is the Tenor and Limitation of our preſent Act, it being to have continued (had the Lower Counties paſſed their Acts in Conformity with the Laws of *New-York*, as this Province and *New-Jerſey* had already done) to the Fourth Day of *Auguſt*. And as *New-York* has not extended their Act, that we know of (which will probably become unneceſſary on the Proclamation of a War with *France*, now daily expected) any new Act we could make would only be to continue the Act of this Province to the Time it was to continue; which is ſuch an Abſurdity as we preſume on Reflection the Governor will not inſiſt upon.

But that no Time might intervene, whereby the *French* might be ſupplied with Proviſions or Warlike Stores from this Province, we, at our laſt Sitting, put into the Governor's Hands a Bill " to continue the Act for preventing the Exportation of Proviſions, " Naval or Warlike Stores, from this Province to *Cape-Breton*, or to any other the Do- " minions of the *French* King, or Places at preſent in Poſſeſſion of any of his Subjects," to prevent, as much as lay in our Power, any Deficiencies which might ariſe from the Conduct of the Aſſembly of the Three Lower Counties, if they ſhould think fit to invalidate the Acts of the other Colonies for laying a general Embargo.

At the ſame Time we alſo ſent up a Bill, entituled, *A Supplementary Act to a Law of this Province, entituled, An Act for the more effectual obſtructing the Exportation of Proviſions and Warlike Stores from the Province of* Pennſylvania; which Bill, if the Governor had paſſed it at the Time it was ſent to him by the Houſe, or if he ſhould hereafter be pleaſed to give his Aſſent thereto, would prevent all Doubts, and give full Liberty to ſend Supplies " to ſuch of the King's Ships and Forces as may be employed in any Part " of *America*;" and we have never endeavoured to put the Trade of this Place, where the Intereſt or Dignity of the Crown is concerned, on any other Footing than it is in the other Colonies."

And the ſaid Meſſage being ſigned by the Speaker, by Order of the Houſe,

Ordered, That *Joſeph Fox* and *John Potts* wait upon the Governor, and deliver the ſame, together with the Bill for ſtriking the Sum of *Four Thouſand Pounds* in Bills of Credit, and to provide for ſinking the ſame by yearly Payments to be made by the Proprietaries Receiver General, and acquaint him, that the Houſe think it highly neceſſary that there ſhould be ſome Preamble to the ſaid Bill, otherwiſe thoſe who are not particularly acquainted with our Affairs may imagine that the Proprietaries have thereby given *Four Thouſand Pounds* over and above the *Five Thouſand Pounds* ſpecified in the Act for granting *Sixty Thouſand Pounds* to the King's Uſe; the Houſe therefore propoſe, that ſince the Governor is averſe to having it mentioned in the Preamble that the ſaid *Five Thouſand Pounds* was given by the Proprietaries in Conſideration of their being exempted from the Payment of their Taxes towards raiſing the aforeſaid Sum of *Sixty Thouſand Pounds*, although the ſame is expreſsly declared in that Act, without any Objection haveing been made thereto by the Governor at the Time it was paſſed, they will leave out the firſt Clauſe of the Preamble, namely, from the Word [*Whereas*] to the Word [*Uſe*] both incluſive, and inſtead thereof inſert the following Clauſe, *viz.*

" *Whereas the Honourable Proprietaries of this Province have been pleaſed to make a free*
" *Gift of the Sum of* Five Thouſand Pounds, *for the Purpoſes and in the Manner parti-*
" *cularly ſet forth by an Act of General Aſſembly of this Province, paſſed in the Twenty-ninth*
" *Year of his Majeſty's Reign, entituled,* An Act for granting the Sum of *Sixty Thouſand*
" *Pounds* to the King's Uſe, and for ſtriking *Fifty-five Thouſand Pounds* thereof in Bills
" of Credit, and to provide a Fund for ſinking the ſame."

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, *July* 21.
report,

1756. *July* 21. report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, after reading the Meſſage, that he believed the Houſe had miſunderſtood his Meſſage; that he had no Intentions of diſobliging them, and that he was ſorry to ſee they had taken any Offence; however, as he was about leaving the Government, he ſhould not return any Anſwer to it; and that as to the Bill for ſtriking *Four Thouſand Pounds*, to be replaced by the Proprietaries Receiver General, he thought the Houſe gave a good Reaſon why there ſhould be ſome Preamble to the ſaid Bill, and that he would take the one propoſed into Conſideration, and let the Houſe know his Reſult thereupon ſome Time this Day.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, with ſundry Minutes of Council relating to *Indian* Affairs, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'YOU will ſee, by the *Indian* Minutes, which the Secretary will lay before you, that our good Friend and faithful Meſſenger, Captain *Newcaſtle*, is returned from *Diahoga*, and has brought to *Bethlehem* a Number of the *Suſquehanna Indians*, and the *Delaware* King *Teedyuſcung*; from whom I have received a Meſſage expreſſing his Satisfaction with what has been tranſacted by Captain *Newcaſtle*, and telling me that he waits for my coming to him.

'You will obſerve by Sir *William Johnſon's* Letter to General *Abercrombie*, giving an Account of his Proceedings at *Onondago*, which I laid before you, that by Means of the *Six Nations* ſuch of the *Delawares* as attended that Meeting have already laid down the Hatchet, and engaged to follow the Example of the *Six Nations*, and aſſiſt us againſt the *French*.

'As there is the greateſt Reaſon to think, as well from Sir *William Johnſon's* Tranſactions, and the Meſſage from *Teedyuſcung*, as from what Captain *Newcaſtle* has communicated in Council, that the *Delaware* King, and People living on the River *Suſquehanna*, are in a good Diſpoſition to return to their Alliance and former Friendſhip with us, I think ſo favourable an Opportunity of fixing thoſe People in our Intereſt ſhould not be neglected. I therefore recommend it to you to make Proviſion for the Expence that will attend the Conferences upon this Occaſion, and for fulfilling ſuch Engagements as the preſent Exigencies may make it neceſſary for me to enter into, in which you may be aſſured I ſhall have a particular Regard to the Honour and Safety of the Province.

Philadelphia, July 21, 1756. *ROBERT HUNTER MORRIS.*"

The Secretary likewiſe brought down the following Letter from General *Shirley* to the Governor, which was read, *viz.*

SIR, *New-York, July* 13, 1756.

SOME Days ago I had the Honour to receive at *Albany* two Letters from the Right Honourable Mr. *Fox*, one of his Majeſty's principal Secretaries of State, dated the 13th and 31ſt of *March* laſt, acquainting me in the former with his Majeſty's Appointment of the Earl of *Loudon* to be General and Commander in Chief of his Forces in *North-America*; and in the latter ſignifying to me, that it having been "repreſented to "the King, that my Preſence in *England* may be very uſeful and neceſſary to his Ma"jeſty's Service at this Time, on Account of my being able to give many Lights and "Informations relative to the State of Affairs in *North-America*, it was his Majeſty's "Pleaſure, that I ſhould repair to *England* with all poſſible Expedition:" And that, for that Purpoſe, his Majeſty had given Directions to the Lords of the Admiralty, who have ordered a Frigate to receive me on board, and proceed with me directly to *England*. And I have the Pleaſure of being acquainted in the former of theſe Letters, that the Diſpoſition his Majeſty has thought proper to make of the Command of his Forces in *North-America*, is not owing to any Diſſatisfaction with my Services; but that on the contrary, it is the King's Intention to give me a new Mark of his Royal Favour.

As I think it not improper for me to give your Honour, and the Province under your Government, this Notice of my Departure for *England*, ſo I am deſirous of taking this Opportunity to acknowledge the repeated Inſtances of their contributing towards the Defence of his Majeſty's juſt Rights and Dominions in the Expedition againſt *Crown-Point*, by their Grant of Proviſions and Cloathing for the Men employed in it; to aſſure them of my beſt Wiſhes for their Welfare, and that of his Majeſty's other Northern Colonies; and that I ſhall think myſelf happy in being able, upon my Arrival in *England*, to give ſuch Lights and Informations, relative to the State of Affairs in *North-America*

at

at this most critical Conjuncture, as may best promote his Majesty's Service, and the general Interests of his Subjects there. I am, with great Regard and Esteem, 1756. July 21.

To the Honourable Robert Hunter Morris, *Esq;*

Sir, your Honour's most humble, and most obedient Servant, W. SHIRLEY."

The Governor, by the Secretary, sent down the Bill for striking *Four Thousand Pounds* in Bills of Credit, and to provide for sinking the same by yearly Payments to be made by the Proprietaries Receiver General, with a Paper proposing to leave out the three first Clauses of the Preamble to the said Bill, namely from the Word [*Whereas*] to the Word [*otherwise*] both inclusive, and instead thereof insert the following Clause, *viz.*

'Whereas the Honourable the Proprietaries of this Province have been pleased to make 'a free Gift of the Sum of *Five Thousand Pounds*, to be applied towards the Public 'Charges, which Sum, by an Act of General Assembly of this Province, passed in the 'Twenty-ninth Year of his Majesty's Reign, entituled, *An Act for granting the Sum of* 'Sixty Thousand Pounds *to the King's Use, and for striking* Fifty-five Thousand Pounds '*thereof in Bills of Credit, and to provide a Fund for sinking the same,* is directed and appointed to be paid by the Receiver General into the Hands of *Isaac Norris, James Hamilton, John Mifflin* and *Benjamin Franklin*, Esquires, and *Joseph Fox, John Hughes* and *Evan Morgan*, Gentlemen, to be laid out for his Majesty's Use in the Manner 'therein prescribed.'

And the said proposed Preamble being read, and considered, was unanimously rejected by the House.

Ordered, That *Mahlon Kirkbride* and *James Webb* wait upon the Governor, and acquaint him, that the House do not incline to accept of the Governor's proposed Preamble to the Bill for striking *Four Thousand Pounds*, &c. but are willing to pass the said Bill into a Law with the Preamble sent up to the Governor Yesterday; and further, that they enquire if the Governor hath come to any Result upon the Bill for continuing the Excise, and the Bill for granting *Forty Thousand Pounds* to the King's Use.

The Letter from General *Shirley* to the Governor being again read, and considered,

Ordered, That *Joseph Stretch, William Masters, Jonathan Ingham, Joseph Gibbons, Emanuel Carpenter, John Potts* and *William Edmonds* be a Committee to prepare a Draught of an Address to the said General, expressing the Sense this House has of the Services which he has done the *British* Colonies in general, and returning him Thanks for the repeated Instances of his Justice towards the Inhabitants of this Province in particular.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor with the Bill for striking *Four Thousand Pounds*, &c. and the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he had already given the House an Answer as to the Bill for continuing the Excise, and that he could not, nor would not, pass it otherwise than as he had amended it; and that he had considered the Bill for granting *Forty Thousand Pounds* to the King's Use, and should let the House know his Result thereupon this Afternoon. *Post Meridiem*

The Governor's Message of this Morning being again read, and considered,

Ordered, That *John Hughes* and *William Masters* wait upon the Governor, and acquaint him, that the House desire to know what Sum he thinks will be sufficient to discharge the Expences of the proposed Conference with the *Indians* now at *Bethlehem*.

The Governor, by the Secretary, sent down to the House the Bill for striking *Forty Thousand Pounds* for the King's Use, with a Paper containing sundry proposed Amendments thereto; which being read, and considered,

Resolved, That this House will adhere to the said Bill as it now stands, without admitting any of the Governor's proposed Amendments thereto.

The Gentlemen return, and report, that they had delivered the Message of the House according to Order; and that the Governor was pleased to say, that he had made no Calculation of the Expences likely to attend the proposed Conference, so he could not tell what it would amount to, but it seemed to him that about *Four* or *Five Hundred Pounds* might be sufficient; and that the Expences would be the greater, as he should be obliged to have a Body of Soldiers to guard him.

The Gentlemen likewise reported, that they enquired of the Governor if he intended to take any of his Council with him, and whether it would be agreeable to him to be accompanied by any of the Members of Assembly; to which he replied, that he believed he should take some of the Council with him, and that he should be glad of the Company of any of the Members of Assembly that would think proper to attend the Conference.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

1756. *July* 22. The following Account from the Commiſſioners for diſpoſing of the *Sixty Thouſand Pounds* granted to the King's Uſe by Act of Aſſembly, was laid before the Houſe by one of the ſaid Commiſſioners, and read, *viz.*

Dr. COMMISSIONERS, *To the Province of* Pennſylvania, *Cr.*

1756.				1756.			
To ſundry Orders drawn on the Truſtees of the General Loan-Office for the King's Uſe,	£ 54,983	0	0	By *Fifty-five Thouſand Pounds* depoſited in the Hands of the Truſtees of the General Loan-Office, to be diſpoſed of by the Governor and Commiſſioners for the King's Uſe, ——	£ 55,000	0	0
To Ditto on *Richard Hockley* (Receiver General)	1,059	6	0	By the Proprietary's Donation,	5,000	0	0
To Balance, ——	3,957	14	0				
	£ 60,000	0	0		£ 60,000	0	0

N. B. Of the above Balance of *Three Thouſand Nine Hundred* and *Fifty-ſeven Pounds* and *Fourteen Shillings* the Sum of *Three Thouſand Nine Hundred* and *Forty Pounds Fourteen Shillings* is of the Money given by the Proprietaries, not yet in the Receivers Hands, and therefore not immediately in our Power; but we are of Opinion, that even upon a Suppoſition that it was, the Debts now neceſſarily owing by the Commiſſioners for the King's Service, and for which we are called on, now does, or by the Firſt of the next Month will, amount to a greater Sum.

July 22, 1756. JAMES HAMILTON, JOHN MIFFLIN, JOSEPH FOX, EVAN MORGAN, JOHN HUGHES."

The Governor's Meſſage relating to the propoſed Conference being again read, and conſidered,

Reſolved, That *Joſeph Fox* and *William Edmonds*, with the Speaker (if his Health will permit) be appointed to accompany the Governor to the ſaid propoſed Conference; and that a Sum not exceeding *Three Hundred Pounds* be allowed by this Houſe to defray the Expences attending the ſaid Conference.

Ordered, That *Thomas Leech*, *William Maſters*, *Mahlon Kirkbride*, *James Webb*, *John Potts* and *William Edmonds* be a Committee to prepare a Draught of an Anſwer to the Governor's laſt Meſſage, and report the ſame to the Houſe.

The Committee appointed to prepare a Draught of an Addreſs to General *Shirley*, reported the ſame to the Houſe, and it was read, and agreed to as follows, *viz.*

To Major-General WILLIAM SHIRLEY, *Governor and Commander in Chief of the Province of* Maſſachuſetts-Bay, *in* New-England, *&c.*

The ADDRESS of the REPRESENTATIVES of the Province of *Pennſylvania*, in ASSEMBLY met.

Aſſembly's Addreſs to General *Shirley*.

OUR Governor having laid before this Houſe the General's Letter, dated at *New-York*, on the Thirteenth Inſtant, we find that he has been pleaſed "to give Notice "to this Government of his intended Departure for *England*, and his being deſirous to "take the Opportunity to acknowledge the repeated Inſtances of our contributing to-"wards the Defence of his Majeſty's juſt Rights and Dominions in the Expedition againſt "*Crown-Point*, by our Grant of Proviſions and Cloathing for the Men employed in it; "and that upon his Arrival in *England* he ſhall think himſelf happy in being able "to give ſuch Lights and Informations, relative to the State of Affairs in *North-Ame-*"*rica*, as may beſt promote his Majeſty's Service, and the general Intereſt of his Sub-"jects in theſe Parts."

The Candour with which the General has been pleaſed to expreſs himſelf towards us in particular, and his Concern for the Colonies in general, are agreeable to his known Benevolence and Public Spirit. And we can have no Doubt but that his Care of the Northern Colonies, his great Experience in *American* Affairs, the conſtant Application of his Thoughts for their Protection, his ſeveral judicious Plans and Undertakings to reduce the *French* Power, and the Zeal which he has demonſtrated for his Majeſty's Service, by expoſing his Perſon at a Time of Life which might otherwiſe naturally and reaſonably induce him to ſeek Repoſe, will, among his other diſtinguiſhed Merits, highly recommend him to the Royal Favour.

The Juſtice he has formerly done the Aſſemblies of this Province, in a Letter to one of their Members, and this freſh Inſtance of the ſame Diſpoſition of Mind, is becoming his

his established Character, and is the more acceptable to us, as we have frequently, though in vain, sought that Justice where we had an undoubted Right to ask and expect it. 1756. *July* 22.

That the Almighty God may be pleased to protect him through his intended Voyage, and prosper his further Designs for the Public Welfare; and that the Decline of his Life may be attended with that Dignity and Ease which the important Stations he has filled and discharged with so much Honour justly entitle him to, are the sincere Wishes of the Representatives of the Freemen of the Province of *Pennsylvania*."

Ordered, That the said Address be engrossed, and signed by the Speaker, and transmitted to *Benjamin Franklin*, Esq; a Member of this House, now at *New-York*, to be by him delivered to General *Shirley*, in the Name and Behalf of this House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor. *Post Meridiem*

Resolved, That this House will this Day adjourn to the 16th Day of the next Month.

The Message to the Governor being transcribed, was again read, and is as follows, *viz.*

May it please the GOVERNOR,

IT is very agreeable to us to find by the Governor's Message, "That by the Means of "the *Six Nations*, such of the *Delawares*, as attended the late Meeting with Sir *Wil-* "*liam Johnson*, have already laid down the Hatchet, and engaged to follow the Example "of the *Six Nations*, and assist us against the *French*; and that the *Delaware* King and "People living on the River *Susquehanna* are in a good Disposition to return to their "Alliance and former Friendship with us." And in this critical Juncture, when a happy Issue of a Treaty with the *Indians* must be of so great Advantage to the Proprietary Interest, as we apprehend the present Treaty must be, we cannot suffer ourselves to doubt their Willingness to contribute towards the heavy Expences the Province groans under for *Indian* Affairs; especially considering the Governor has just now refused to pass our Bill for granting *Forty Thousand Pounds* to the King's Use, because the Proprietary Estate was therein taxed, in common with all the other Estates in this Province, for their mutual Defence; and has also refused to continue our Excise Act, some Time since expired; so that the Province is greatly indebted, and our only remaining Fund reduced to the lowest Extremity. A Message to the Governor from the Assembly.

Under these Circumstances we made Application to the Commissioners, appointed by the Act for granting *Sixty Thousand Pounds* to the King's Use, to know whether any Money remained in their Hands, which might be applied to the present Emergency; but we find, that the *Fifty-five Thousand Pounds*, to be sunk by the Provincial Tax, is expended; that near *Four Thousand* (Part of the *Five Thousand) Pounds* given by the Proprietaries, in Consideration of their being exempted from their Share of that Tax, is not paid into the Commissioners Hands; and if the whole Sum was paid, the Debts, already contracted for the Defence of the Province, are nearly equal thereto. Nevertheless, as we apprehend the Treaty proposed to be held with the *Susquehanna Indians*, and the *Delaware* King *Teedyuscung*, may be attended with lasting good Consequences, we have resolved, that the Sum of *Three Hundred Pounds* be allowed by this House for that Purpose.

As the Governor has signified, that it would be agreeable to him, if some of the Members of this House would undertake the Journey with him, we have nominated *Joseph Fox* and *William Edmonds*, with the Speaker (if his Health will admit) to accompany the Governor, and such of his Council, as he may think fit to take with him to the proposed Conference; and we hope they may be of Service in conducting the Treaty to a happy Issue."

And the same being signed by the Speaker, by Order of the House,

Ordered, That *Griffith Owen* and *Emanuel Carpenter* wait upon the Governor, and deliver the same, and acquaint him, that the House incline to adjourn to the Sixteenth Day of the next Month, if he hath no Objection thereto.

The Gentlemen return, and report, that they had delivered the Message of the House according to Order; and that the Governor was pleased to say, after perusing the same, that he should not engage for the Proprietaries contributing any Thing towards the Expences that may attend the proposed Conference; that as the House had voted *Three Hundred Pounds* for that Purpose, he should wait at *Easton* or *Bethlehem* till the Whole was expended, then take his Horse and ride away to *New-York* to meet Lord *Loudon*; and that as to the Time of Adjournment, he should not say whether he was pleased or displeased with it, but leave it entirely with the House to do as they pleased.

Then the House adjourned to the Sixteenth Day of the next Month called *August*. Adjournment

THE House met pursuant to their Adjournment. *August* 16. *Post Meridiem*

Ordered, That *Joseph Stretch* and *John Hughes* wait upon the Governor, and acquaint

1756. quaint him, that the Houſe are met, according to their Adjournment, and ready to receive any Thing he may have to lay before them.

Auguſt 16. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *Auguſt* 17. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he ſhould ſend a Meſſage to the Houſe this Morning.

The Governor, by *William Peters*, Eſq; ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE Money heretofore granted for the Defence of the Province being expended, 'it will be impoſſible to keep the Troops poſted on the Frontiers together without 'their Pay: I therefore recommend it to you to enter upon the Conſideration of this Matter 'without Delay, and to grant ſuch Supplies as his Majeſty's Service and the Safety of 'the Province at this Time require. What makes this the more neceſſary is, the Number 'of *French* and *Indians* that are now on our Borders, a Body of whom, under a *French* 'Officer, have taken and burnt Fort *Granville*, on the *Juniata*, one of our moſt con-'ſiderable Forts on the Weſtern Frontier; while others of them are murdering the In-'habitants, and laying waſte the Country.

'The People, to the Weſt of *Suſquehanna*, diſtreſſed by the frequent Incurſions of the 'Enemy, and weakened by their great Loſſes, are moving into the interior Parts of the 'Province; and I am fearful that whole Country will be evacuated, if timely and vi-'gorous Meaſures are not taken to prevent it.

'Major *Rutherford*, the Commanding Officer, in this Province, of his Majeſty's *Royal* '*American Regiment* now raiſing, has applied to me for ſome Place in or near this City, 'where the Men belonging to that Corps may be lodged together, that they may receive 'the King's Proviſions, be taught the Uſe of Arms, and brought under proper Diſcipline, 'which he thinks it impoſſible to accompliſh while they remain ſcattered in different 'Places. As there are at preſent no Houſes proper for the Reception of Troops, I muſt 'recommend it to you to enable me to erect a Number of Barracks in ſome convenient 'Place ſufficient for the Reception of a Thouſand Men, there being already above Five 'Hundred raiſed in this Province, and about the ſame Number daily expected hither 'from *Europe*. And as great Numbers of the Men raiſed in the Province are indentured 'Servants, I muſt again recommend it to you to make Proviſion, agreeable to his Ma-'jeſty's Directions, for the Payment of their Maſters the Value of their Time they had 'to ſerve, that the Furniſhing Men for his Majeſty's Service may not fall too heavy upon 'Particulars.

Philadelphia, Auguſt 16, 1756. *ROBERT HUNTER MORRIS.*"

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Governor's Meſſage was again read, and conſidered; and after ſome Time ſpent therein,

Reſolved, That the Sum of *Forty Thouſand Pounds* be at this Time granted to the King's Uſe.

Ordered, That *Daniel Roberdeau*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Peter Dicks*, *James Wright*, *John Wright*, *John Potts* and *William Edmonds* be a Committee to prepare and bring in a Bill for the Purpoſe of the foregoing Reſolve, and likewiſe to prepare a Draught of an Anſwer to the Governor's Meſſage.

Adjournment Then the Houſe adjourned to Three o'Clock To-morrow Afternoon.

Auguſt 18. *Poſt Meridiem* The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it was read, agreed to, with ſome Alterations, and ordered to be tranſcribed, that it may be ſent up to the Governor.

And the ſame being accordingly done, it was again read, and is as follows. *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

THE Houſe have repeatedly offered the Governor Bills for granting conſiderable Sums to the King's Uſe, to which he has refuſed his Aſſent, being reſtrained by the Proprietaries, as he ſays, from paſſing any Bills in which their Eſtate is to be taxed towards its Defence. We know of no equitable Way of raiſing ſuch large Sums as are now neceſſary, but by a general Tax on all Eſtates, real and perſonal. We have voted another Sum of *Forty Thouſand Pounds*, to be raiſed in that Manner, and are preparing a new Bill to lay before the Governor for that Purpoſe. But as we are, and muſt be ſtill, of Opinion, that the Proprietary Eſtates ought to be taxed in common with thoſe of their Fellow-Subjects in all the reſt of the King's Dominions, for their common Defence, we cannot omit a Clauſe of that Kind in our Bill, without Injuſtice to the King's other Subjects, ourſelves, our Conſtituents and Poſterity; and we believe, that an equal Number

of

of Men, of any Sect, Nation, Name or Party among us, will never be chosen to represent the Province, who would be of a different Sentiment in this Particular. 1756. *August* 18.

In the mean Time, we earnestly request the Governor would use his Influence with the Proprietaries Receiver General, to induce him to pay the remaining Sum of near *Three Thousand Pounds*, yet behind of their Contribution of *Five Thousand Pounds*, which by Law was to have been immediately advanced, but is still withheld from the Commissioners, to the Injury of the poor Soldiers, whose Pay is in Arrear for Want of that Money, the *Fifty-five Thousand Pounds* we granted by the said Bill for the King's Use being expended.

We are sensibly affected with the distressed State of our Frontier Inhabitants; though we apprehend they are in a much better Situation than those of the neighbouring Provinces, who are equally near the Enemy. And we hope they may be rendered still more secure, by a vigorous Exertion of the Force now on Foot for their Protection, and the Annoyance of the Enemy.

The other Matters recommended to us by the Governor, we will take into Consideration, and hope we may be able to do therein, whatever ought to be expected of us."

The foregoing Message being signed by the Speaker, by Order of the House,

Ordered, That *George Ashbridge* and *John Wright* wait upon the Governor, and deliver the same.

Upon an Application of one *Samuel Gwin*, who was lately wounded by the *Indians*, on the Frontiers of *Northampton* County, the House agreed to allow him *Three Pounds* in Consideration thereof; and the Trustees of the Loan-Office were ordered to pay the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of Yesterday, report, that they had delivered the same according to Order. *August* 19.

Ordered, That *George Ashbridge* have Leave to be absent, on urgent Business, till the End of the Week.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House being informed, that the Gentleman who is appointed to succeed our present Governor, is now on the Road hither from *New-York*, and will be in Town some Time To-morrow, adjourned to Five o'Clock To-morrow Afternoon. *Post Meridiem* Adjournment

WILLIAM DENNY, Esq; Governor.

THE House met, pursuant to their Adjournment. *August* 20.

The Speaker laid before the House a Letter he had just received from the Mayor of the City of *Philadelphia*, which was read, and is as follows, *viz.* *Post Meridiem*

Mr. *Speaker*, *Philadelphia, Friday, August* 20, 1756.

SIR,

IN the Name of the Corporation I request the Favour of your and the Members of Assembly's Company to dine with them at the Lodge To-morrow: And I request in their Name, you will from the Chair acquaint the Members therewith. Mayor's Letter to the Speaker.

For Isaac Norris, *Esq*; *Speaker of the Assembly of* Pennsylvania.

I am your very humble Servant,
WILLIAM PLUMSTED, *Mayor*."

The Members present agreed to dine with the Corporation, agreeable to their Invitation.

Ordered, That the Clerk do speak to some suitable Person to provide a handsome Dinner on next *Second-day*, at the State-house; and that the present and late Governor, the Governor's Council, Mayor and Corporation, Officers Civil and Military, Clergy, and Strangers, now residing in this City, be invited thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from *Sarah Morrows*, of *Cumberland* County, praying for some Relief in her present distressed Circumstances, occasioned by her Husband having been killed by the *Indians*, was presented to the House and read. *August* 21. *Ordered to lie on the Table.*

Ordered, That *Daniel Roberdeau*, *Benjamin Franklin*, *Mahlon Kirkbride*, *Peter Dicks*, *James Webb*, *John Potts* and *William Edmonds* be a Committee to prepare a Draught of a congratulatory Address to the Honourable WILLIAM DENNY, Esq; upon his safe Arrival, and Accession to this Government.

Then the House adjourned to next *Second-day*, at Ten o'Clock in the Morning. Adjournment

The House met, pursuant to their Adjournment. *August* 23.

The Committee appointed to prepare a Draught of a congratulatory Address to the Governor, reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be presented to the Governor.

Resolved, N. C. D. That the Sum of *Six Hundred Pounds* be at this Time paid, out of the Provincial Treasury, to the Honourable WILLIAM DENNY, Esq; Lieutenant-Governor of this Province.

And an Order was accordingly drawn on the Treasurer, and signed by the Speaker, by Order of the House, for Payment of the same.

1756. The Addreſs to the Governor being tranſcribed, it was again read, and is as follows, *viz.*

Auguſt 23. To the Honourable *WILLIAM DENNY*, Eſq; Lieutenant-Governor of the Province of *Pennſylvania*, and of the Counties of *New-Caſtle*, *Kent* and *Suſſex*, on *Delaware*,

The ADDRESS of the REPRESENTATIVES of the FREEMEN of the ſaid Province of *Pennſylvania*, in GENERAL ASSEMBLY met.

May it pleaſe the GOVERNOR,

Addreſs to the Governor. WE are ſincerely thankful to Almighty God, that he has been pleaſed to protect the Governor through the Dangers of the Sea, and bring him in Safety to his Government. We heartily congratulate him on his Acceſſion; and hope, from the excellent Character we have received of him, his Adminiſtration will be as happy for the Province, as we ſhall endeavour to make it eaſy and comfortable to himſelf."

And the ſaid Addreſs being ſigned by the Speaker, by Order of the Houſe,

Ordered, That the Speaker, with the whole Houſe, wait upon the Governor, and preſent the ſame, together with the Order of the Houſe for *Six Hundred Pounds*.

Adjournment Then the Houſe adjourned to Three o'Clock To-morrow Afternoon.

Auguſt 24. *Poſt Meridiem* The Speaker reported, that the Houſe had waited on the Governor, and preſented their Addreſs, to which he was pleaſed to make the following Anſwer, *viz.*

Mr. Speaker, and Gentlemen of the Aſſembly,

Governor's Anſwer. 'I AM extremely obliged to you for your very affectionate Addreſs, and have the Honour to aſſure you, that I am ſincerely diſpoſed to do every Thing in my Power, 'that may promote the Happineſs, and tend to the Security and Protection of the People 'of this Province."

The Speaker likewiſe reported, that he had at the ſame Time preſented the Governor with the Order for *Six Hundred Pounds*, who was pleaſed to ſay, he returned the Houſe his Thanks for that Mark of their Reſpect.

Ordered, That the Clerk do cauſe a Set of the old Votes of Aſſembly, lately publiſhed in three Volumes, to be neatly bound, and preſented to the Governor.

A Meſſage from the Governor, by the Secretary:

S I R,

"The Governor requires the Attendance of the Houſe, in the Council Chamber, im-"mediately."

Then the Speaker, with the whole Houſe, waited upon the Governor; and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited upon the Governor, who was pleaſed to make a Speech to this Houſe, a Copy of which he had delivered to the Speaker.

The Governor's Speech was read at the Table, by Order, and follows in theſe Words, *viz.*

Mr. Speaker, and Gentlemen of the Aſſembly,

Governor's Speech. 'THE Honourable the Proprietaries, on the Reſignation of Mr. *Morris*, having been pleaſed, with his Majeſty's Royal Approbation, to appoint me to the Government 'of this Province, and the Counties of *New-Caſtle*, *Kent* and *Suſſex*, on *Delaware*, I 'am glad of the Opportunity of meeting you thus early in Aſſembly, at a Time when the 'diſtreſſed Situation of the Affairs of this Province ſo loudly calls for your immediate 'Aid and Aſſiſtance.

'I am firmly perſuaded, that nothing can ſo much recommend me to his Majeſty 'and the Proprietaries, as the Protecting this Province from the deep laid Deſigns, and 'open Attacks, of the Enemy, and the Supporting the People in the Enjoyment of their 'Civil and Religious Rights; which Duty, as well as my own Inclination, on every 'Occaſion, will lead me to.

'You cannot but have obſerved that his Majeſty, in his Declaration of War, hath aſ-'ſigned the *French* Encroachments in *America*, particularly in that Part of the *Ohio* lying 'within the Limits of this Province, as the principal Cauſe of his entering into this juſt 'and neceſſary War; and therefore it is particularly incumbent on you to exert your-'ſelves in the Support of ſuch Meaſures as have been, or ſhall be, concerted for carrying 'on the ſame with Vigour.

'Since my Arrival among you, I have made it my particular Buſineſs to enquire into 'the State of the Frontiers, and have heard with Horror the Devaſtations, Cruelties, 'and Murders that have been committed there.

'As I am informed that the Money heretofore raiſed is not only quite exhauſted, but 'that there are conſiderable Sums in Arrear to the Forces ſtationed on the Borders in the 'Pay of the Province, who muſt be immediately diſbanded, and the Back Inhabitants

'left

'left naked and defenceleſs to a ſavage and mercileſs Enemy, unleſs freſh Supplies are 1756.
'quickly raiſed for their Support; I muſt recommend this Matter, in the warmeſt Terms, *Auguſt* 24.
'to your moſt ſerious Conſideration, and doubt not you will enable me to afford the
'People that Protection they ſo much ſtand in Need of.

'The long Experience you have had in the Affairs of this Province, renders it unne-
'ceſſary for me to enter at this Time into a particular Detail of the Buſineſs that requires
'your immediate Attention; and therefore I have only in general to recommend to you
'to cultivate Harmony, and a good Underſtanding among one another.——Let Unani-
'mity and Diſpatch prevail in your Councils.——And be aſſured that I will deny you
'nothing that I can grant, conſiſtent with my Duty to his Majeſty, and the Rights of
'the Proprietaries."

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Speech was again read, and conſidered; and, after ſome Time ſpent *Auguſt* 25.
therein,

Reſolved, That a Sum of Money be at this Time granted to the King's Uſe; and that the Committee appointed on the Seventeenth Inſtant to prepare and bring in a Bill for granting *Forty Thouſand Pounds* to the King's Uſe, do, inſtead thereof, bring in a Bill with a Blank for the Sum to be granted.

An Application from *James Ferguſon*, one of the Inhabitants who were driven from their Settlements on *Juniata*, by the *French* and *Indians*; alſo an Application from *Matthias Gantſhorn*, who was lately wounded in the Province Service, were laid before the Houſe and read, praying for ſome Relief in their diſtreſſed Circumſtances.

Reſolved, That the Sum of *Three Pounds* be allowed to each of the ſaid Perſons.

Then the Houſe adjourned to Three o'Clock To-morrow Afternoon. Adjournment

The Houſe met, and adjourned to Ten o'Clock To-morrow Morning. *Aug.* 26. *P.M.*
Adjournment

The Committee appointed to prepare a Draught of a Bill for granting a Sum of Money to the King's Uſe, reported, that they had made ſome Progreſs therein, but not having compleated it, deſired further Time for that Purpoſe. *Auguſt* 27.

An Account from *Iſaac Kite*, of *Blockley* Townſhip, for the Maintenance of *French* Neutrals, was laid before the Houſe and read, and referred to the Committee of Accounts.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, with ſundry Papers therein referred to, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

'THE Secretary will lay before you an Extract of a Letter I received laſt Night by A Meſſage
'Expreſs from Lord *Loudon*. from the Governor to the Aſſembly.

'You will be pleaſed to obſerve how much all the Colonies, and this Province in
'particular, are expoſed to the immediate Attacks of a ſucceſsful and implacable Enemy.
'If the Country is to be ſaved, it muſt be by the Diſpatch and Vigour of your Reſolu-
'tions; and I make no Doubt but that you will chearfully grant ſuch Supplies as the
'Exigency of this important Service requires. May Heaven proſper your Councils! and
'permit me to remind you, it is your Duty to enable me to protect the People, and ſup-
'port his Majeſty's Government, at this moſt critical Conjuncture.

'I alſo lay before you ſome Letters from the Frontiers, where a ſpeedy Reinforce-
'ment is abſolutely neceſſary, to ſave all from Ruin.

Auguſt 27, 1756. *WILLIAM DENNY.*"

The Secretary informed the Houſe, that as the Letter from Lieutenant Colonel *Armſtrong* mentioned an Affair which had hitherto been kept a Secret, the Governor deſired that it might be ſtill kept as ſuch.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe being informed, that ſome of the *French* Neutrals were attending without, *Poſt Meridiem*
and had ſomething to offer to the Houſe, they were called in, and preſented a Petition, of which the following is a literal Tranſlation.

To the SPEAKER, and the Honourable MEMBERS of the ASSEMBLY of *Pennſylvania*.

GENTLEMEN,

INASMUCH as it has pleaſed your honourable Aſſembly to manifeſt the greateſt *French* Neu-
Charity towards us during the Space of Ten Months, that we have now been in this trals Petition.
Province, we hope your Charity will not now fail, but that you will be pleaſed ſtill to extend it towards us an unhappy People, who have never been guilty of any Tranſgreſſion which might ſubject us to the Calamity we have been made to endure. The Gentlemen appointed by you as Commiſſioners, have made the neceſſary Proviſion for our Subſiſtance, till we were diſperſed in different Parts of the Country, ſince which Proviſions have been entirely withheld from ſeveral Families; nevertheleſs, we are perſuaded your honourable

1756. *Auguſt* 27. honourable Houſe is not chargeable with this Neglect. We are alſo ſenſible that we are a Burden to this Province; yet as we are here, though againſt our Will, we ſhall certainly periſh, except your Charity preſerves us.

We humbly pray, that you would extend your Goodneſs ſo far as to give us Leave to depart from hence, or be pleaſed to ſend us to our Nation; or any where, to join our Country People; but if you cannot grant us theſe Favours, we deſire that Proviſion may be made for our Subſiſtance, ſo long as we are detained here. If this our humble Requeſt ſhould be refuſed, and our Wives and Children be ſuffered to periſh before our Eyes, how grievous will this be; had we not better have died in our native Land!

It may be it will be ſaid, that we may work for our Livelihood. It is true, many of us can; but the greateſt Part are not able to do it; beſides, the Labour of one Man, ſhould he conſtantly meet with Employment, is not ſufficient to feed and clothe a Wife and five or ſix Children: Perhaps, in order to obviate this Difficulty, and take from the Father the Burden of maintaining ſo many Children, it will be propoſed that the Children be taken from their Parents; ſhould this be the Caſe, the Unhappineſs of our Condition would be much aggravated, as we ſhould thereby be compelled to forſake thoſe moſt tender Pledges which both God and Nature have committed to our Truſt.

It is true, you have been ſo good as to offer us ſome Aſſiſtance towards procuring to ourſelves a Living, ſuch as Cows, Gardens, *&c.* which we have refuſed; and we are told that this Refuſal has irritated the Aſſembly againſt us, and that a Part of our Proviſion has on that Account been kept from us. Our refuſing to accept of the Aſſiſtance offered to us did not ariſe from any Undervaluement of ſuch kind Offers, but it aroſe from an Opinion which we entertained, that being Priſoners; we were not obliged to make Settlements againſt our Inclination: And we hope we ſhall not be underſtood to fail in the Reſpect that is due to you, by the Acknowledgment which we now ſincerely make, that we ſhall never fully conſent * to ſettle in this Province. This our free Confeſſion will appear ſomewhat harſh, yet not ſo much ſo, if the Promiſe made us by Mr. *Charles Lawrence*, Governor of *Nova-Scotia*, be conſidered, which, in the Preſence of his Majeſty's Council was, that he made us Priſoners even like the *French* Priſoners, and that he would cauſe us to be tranſported to a *French* Country. We beſeech you, Gentlemen, let us enjoy the ſame Privileges which *French* Priſoners have enjoyed, that is, the Hopes of recovering our Freedom, or at leaſt be pleaſed that ſuch Proviſion be made for us, that we periſh not.

It is very hard to ſee our Subſtance, and thoſe Places which have been granted us by his Majeſty, paying the cuſtomary Dues, and which we have ſettled by the Sweat of our Brows, we ſay, it is hard to ſee theſe Places taken from us, and we tranſported in a foreign Land, and this contrary to the moſt ſolemn Promiſe, without any Occaſion given on our Part for ſuch an Uſage.

Upon a Conſideration of our Misfortunes, we hope it will pleaſe you, Gentlemen, to caſt a charitable Eye upon our unhappy Condition; don't let us periſh for Want of Food, or afford us the neceſſary Means to go and join our Country People. Theſe are the moſt earneſt Wiſhes of thoſe who are with all poſſible Reſpect,

Your very humble and obedient Servants,

Alexis Tibaudau,	*Olivier Tibaudau,*	*Maturin Landry,*
Pierre Babin,	*Jean Landry,*	*Simon Babin,*
Pierre Aucoin,	*Pierre Doucet,*	*Philip Melanſon,*
Benoni Bourg,	*Jean Doucet,*	*Simon Le Blanc,*
Paul Bujauld,	*Baptiſte Babin,*	*Staniſlas Forreſt.*"

On the Behalf of the whole.

The Governor's Meſſage was again read, and conſidered; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 28. The Speaker laid before the Houſe ſundry Letters from Perſons reſiding on the Frontiers of this Province, which he informed the Houſe he had received from the Governor; and the ſame being read, were ordered to lie on the Table for the Peruſal of the Members.

Adjournment. Then the Houſe adjourned to next *Second-day*, at Three o'Clock in the Afternoon.

Auguſt 30. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Governor's Speech and Meſſage were again read, and conſidered; and, after ſome Time ſpent therein,

Ordered, That *Joſeph Fox*, *Benjamin Franklin*, *William Maſters*, *Mahlon Kirkbride*, *George Aſhbridge*, *Emanuel Carpenter*, *John Wright*, *Joſeph Armſtrong* and *William Edmonds* be a Committee to prepare Draughts of Anſwers thereto.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The

* In the Original it is [*de notre plein Gres.*]

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The Committee appointed to prepare Draughts of Answers to the Governor's Speech and Message, reported the same to the House, and they were read, agreed to, and ordered to be transcribed, that they may be sent up to the Governor.

Leonard Wesser, a *German*, who had been taken Prisoner by the *Indians*, and was delivered up by the *Delaware* Chief *Teedyuscung*, attending without, was called in, and having answered such Questions as were put to him by the House, he withdrew.

Resolved, That the Sum of *Four Pounds* be allowed to the said *Wesser*, in Consideration of his present distressed Circumstances.

The Answers to the Governor's Speech and Message, being transcribed, were again read, and are as follow, *viz.*

To the Honourable WILLIAM DENNY, *Esq*; *Lieutenant-Governor of the Province of* Pennsylvania, *&c.*

The ADDRESS of the Representatives of the Freemen of the said Province, in Answer to the Governor's Speech of the Twenty-third Instant.

May it please the GOVERNOR,

An Address to the Governor from the Assembly.

WE look upon the Royal Approbation of the Governor's Appointment, at this critical Time, as a Mark of the paternal Regard his Majesty has, on all Occasions, extended to his Subjects, whenever their Distresses have been laid before him; and we shall most chearfully contribute our Aid and Assistance to restore the former flourishing State of *Pennsylvania*.

It gives us great Pleasure to find that the Governor has promised, on every Occasion, to protect this Province from the Designs and Attacks of the Enemy, and to support the People in the Enjoyment of their Civil and Religious Rights; which, from his known Character, and the Experience we have had of his Conduct since his Arrival among us, we are confident the Governor will be led to, as well from his own Inclination as from his Duty.

The extended Western Boundary of this Province, which in a great Measure covers the Colonies of *Maryland*, the Three Lower Counties, on *Delaware*, and the Province of *New-Jersey*, and the dispersed Manner of settling the Back Lands in this Colony and *Virginia*, have exposed both to greater Damage from the Inroads of the *Indians*; but as our Frontier is now in a better State of Defence than that of any of our Neighbours, equally near the Enemy, we cannot but hope that the Inhabitants, by the Blessing of God on the Means hitherto provided by the Legislature, may become more secure in their Settlements; and as great Unanimity prevails among the Members of our House, we shall, as far as lies in our Power, consistent with our just Rights, enable the Governor to afford the People the Continuance of "that Protection they so much stand in need of;" in full Confidence that the Governor "will deny us nothing that he can grant, consistent with his Duty to his Majesty, and the Rights of the Proprietaries."

A MESSAGE to the GOVERNOR *from the* ASSEMBLY.

May it please the GOVERNOR,

A Message to the Governor from the Assembly.

AS soon as we heard and considered the Governor's Speech, and before we received his Message with the Letter from Lord *Loudon*, we resolved to give a Sum of Money for his Majesty's Service; demonstrating, by that Readiness, that we are not insensible of our Duty to the best of Kings, nor of the Necessity of enabling the Governor at this critical Conjuncture to protect the People committed to his Care.

As former Grants of this Kind have been long delayed, or rendered ineffectual, by Means of latent Proprietary Instructions, not communicated to us till we had spent much Time in vain in forming our Bills, we would now humbly request the Governor to lay before us full Copies of such of his Instructions as relate to Money Bills of any Kind, with the Preambles or other Parts that contain the Reasons of such Instructions; that we may, if possible, avoid all Occasions of Delay in Affairs so important, and that our Judgments may be informed of the Equity or Necessity of Rules to which a Conformity is required.

From the Governor's Candour, and sincere Desire to facilitate and expedite, by every Means in his Power, what is necessary to the public Welfare, as well as from the Reasonableness of the Thing in itself, we have no Doubt that he will favour us in granting this Request."

And the foregoing Address and Message being signed by the Speaker, by Order of the House,

Ordered, That *Joseph Stretch*, *William Masters*, *Joseph Hamton*, *Thomas Cummings*, *Emanuel Carpenter*, *David M'Connaughy*, *Joseph Armstrong* and *William Edmonds* wait upon the Governor, and deliver the same.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment

1756. *Auguſt* 31. *Poſt Meridiem*

The Gentlemen appointed to wait upon the Governor with the Addreſs and Meſſage of the Houſe, report, that they had delivered the ſame according to Order, and that the Governor was pleaſed to ſay, he would take them into his immediate Conſideration.

The Houſe went upon the Conſideration of the Petition from the Neutral *French*, now in this Province; and, after ſome Time ſpent therein,

Ordered, That *George Aſhbridge* and *James Wright* wait upon the Governor, and acquaint him, that the Houſe deſire a Conference with him concerning the *French* Neutrals now in this Province, and that he would be pleaſed to appoint ſuch Time and Place as will be moſt agreeable to him for that Purpoſe.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, together with a Copy of the Proprietary Inſtructions relating to Money Bills, which were read, and are as follow, *viz.*

A Meſſage from the Governor to the Aſſembly.

GENTLEMEN,

'AGREEABLE to your Requeſt in your Meſſage of this Morning, I now lay before you Copies of the Proprietaries Inſtructions relating to Money Bills.

Auguſt 31, 1756. *WILLIAM DENNY*."

COPY of the Eleventh Article of the Proprietary INSTRUCTIONS.

Proprietary Inſtructions relating to *Money Bills*.

WHEREAS the Intereſt Money ariſing from the Loan of Bills of Credit in the ſaid Province is intended by us and the Houſe of Repreſentatives to be applied for the Public Service of the Province, and of the Inhabitants thereof; and ſhould therefore, under the Direction of the ſame Power that raiſes it, be moſt carefully applied to thoſe Purpoſes, as a greater Security to the People againſt Miſapplication than if it was entruſted only to one Branch of the Legiſlature; and ſuch was the ancient Practice in our ſaid Province. You ſhall therefore not give your Aſſent to any Bill or Act of Aſſembly for the Emitting or Re-emitting and Continuing any Paper Currency or Bills of Credit in the ſaid Province, unleſs every ſuch Bill or Act of Aſſembly do contain one or more enacting Clauſes, whereby it ſhall be effectually enacted, that the Whole of the Intereſt Money to accrue, ariſe and become payable, from the Loan of all ſuch Paper Currency or Bills of Credit hereafter to be iſſued, emitted, continued or re-emitted, ſhall be diſpoſed of only to the very Purpoſes to be mentioned and expreſſed in the ſame Act, in ſuch Caſes where the Purpoſes may conveniently be mentioned and expreſſed therein; or, where that cannot conveniently be done, then to ſuch Purpoſes only as ſhall be mentioned and expreſſed in ſome future Act of the Governor and Aſſembly, or in ſome future Vote or Reſolution of Aſſembly, approved of and ſigned by the Governor or Commander in Chief of the ſaid Province for the Time being. And whereas there is the ſame good Reaſon for ſecuring to the Uſe of the Inhabitants any Monies raiſed on them by Exciſe or any other Method, you ſhall not give your Aſſent to any Law for prolonging the preſent Exciſe, or laying any other Exciſe, or raiſing any Money on the Inhabitants of the ſaid Province of *Pennſylvania*, unleſs there be the like enacting Clauſe, that all Money ariſing from the ſaid Exciſe or other Duties, ſhall be diſpoſed of only to the very Purpoſes to be mentioned and expreſſed in the ſame Act, in ſuch Caſes where the Purpoſes may conveniently be mentioned and expreſſed therein; or, where that cannot conveniently be done, then to ſuch Purpoſes only as ſhall be mentioned and expreſſed in ſome future Act of the Governor and Aſſembly, or in ſome future Vote or Reſolution of Aſſembly, approved of and ſigned by the Governor or Commander in Chief in the ſaid Province for the Time being.

A true Copy, compared with the Original, by
RICHARD PETERS, *Secretary*.

COPY of the Twelfth Article of the Proprietary INSTRUCTIONS.

WHEREAS by an Act of Aſſembly paſſed in the ſaid Province, in the Twelfth Year of his preſent Majeſty's Reign, entituled, *An Act for re-printing, exchanging, and re-emitting all the Bills of Credit of this Province, and for ſtriking the further Sum of* Eleven Thouſand One Hundred *and* Ten Pounds *and* Five Shillings, *to be emitted upon Loan*, the Paper Bills or Bills of Credit of the ſaid Province amounted unto *Fourſcore Thouſand Pounds*, Proclamation Money, or thereabouts; and although a reaſonable and moderate Quantity of Paper Money, or Bills of Credit, in the ſaid Province, tends greatly to the Service and Benefit of the ſaid Province and its Inhabitants, as well as to the Trade of *Great-Britain*, yet the Making, Emitting or Continuing too large a Quantity thereof, has, in other Colonies, and would in the ſaid Province be prejudicial, and would greatly affect the Exchange and Trade of the ſaid Province: And whereas it hath been repreſented to us, that it will be of Advantage to the Trade of the ſaid Province, to re-emit and continue the ſaid *Fourſcore Thouſand Pounds*, and even to enlarge and encreaſe the Quantity of Paper Money, you are therefore diligently and carefully to enquire, whether it is neceſſary, and will be convenient, to re-emit the ſaid *Fourſcore Thouſand Pounds*; and alſo, whether it is really neceſſary to create and iſſue any further Sum in

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Paper Currency or Bills of Credit in the ſaid Province: And in Caſe, upon your beſt Enquiry, you ſhall find it to be really convenient and neceſſary, and of Advantage to the ſaid Province, then, but in no other Caſe, you may paſs and give your Aſſent to any Act or Acts of Aſſembly in the ſaid Province, for re-emitting or continuing the ſaid *Fourſcore Thouſand Pounds* for ſuch Time as you ſhall judge proper; and alſo for raiſing and iſſuing any further Sum or Sums in Paper Currency or Bills of Credit which you ſhall think neceſſary, not to exceed the Sum of *Forty Thouſand Pounds*, Proclamation Money. Always provided, that on every ſuch Bill, ſtrict Regard be had to our foregoing Inſtruction, Number Eleven, as to the Diſpoſal of all the Intereſt to ariſe from ſuch Paper Money ſo to be re-emitted or continued, or to be new raiſed or iſſued. And alſo provided, that in the very Acts for re-emitting, continuing or iſſuing ſuch Paper Currency, or in ſome other diſtinct Act or Acts to be paſſed at the ſame Time, it be effectually enacted, that all Rents and Quitrents in the ſaid Province, due, or to be due and payable to the Proprietaries for the Time being, be always paid according to the Rate of Exchange, at the Times of Payment, between the Cities of *Philadelphia* and *London*, or ſome other ſufficient Proviſion be enacted in Lieu thereof, in as effectual a Manner as was done by a ſeparate Act at the Time when the ſaid Act of the Twelfth Year of his Majeſty's Reign was paſſed."

A true Copy, compared with the Original, by
RICHARD PETERS, *Secretary.*

COPY of the Twenty-firſt Article of the Proprietary INSTRUCTIONS.

WHEREAS, from the firſt Settlement of the ſaid Province, ſeveral Acts of Aſſembly have from Time to Time been paſſed for raiſing Provincial Taxes; in all which, as well when the Government was (for ſome Time) in the Hands of the Crown, as when executed by Commiſſion from our late Father, the Eſtates of the Proprietary himſelf, and, in ſome of the ſaid Acts, thoſe of his Children, and Deputies alſo, were exempted from paying towards ſuch Taxes; over and beſides which Exemption, ſeveral Acts were paſſed, giving to the ſaid Proprietary a Support, by Duties and other Impoſitions, as may appear, on Examination of the ſeveral Acts of Aſſembly. And whereas, ſince the Expiration of thoſe former Laws, no Aid hath ever been granted by the Aſſembly to us, as Proprietaries, notwithſtanding which, we have on ſeveral Occaſions ſhewn our Regard to the public Service of the ſaid Province, by voluntarily and chearfully expending ſeveral conſiderable Sums of our own Money for the Advancement thereof, although no Provincial Tax hath been laid upon the People within our Time, for any Purpoſe whatſoever, until the laſt Year; ſo that as we had no Reaſon to ſuſpect that the Aſſembly of the ſaid Province would deviate ſo much from the former Uſage, as to pretend by any Act of theirs to charge our Eſtates in the ſaid Province with the Burthen of any Taxes, we had not therefore given to your Predeceſſor any particular Inſtructions on that Head. And whereas the Aſſembly of the ſaid Province, taking Occaſion of the Troubles in *America*, to repreſent us in a very untrue Light, as if we were unwilling to aſſiſt the Public, by contributing towards the Defence of the Country, though no Application had ever once been made to either of us for that Purpoſe, did, in the laſt Year, prepare and ſend up to our Lieutenant-Governor, a Bill of a moſt unjuſt and extraordinary Nature and Import, entituled, *An Act for raiſing* Fifty Thouſand Pounds *for the King's Uſe, by a Tax of* Twelve-pence per *Pound* and Twenty Shillings per *Head, yearly for two Years, on all the Eſtates real and perſonal, and Taxables within this Province.* By which Bill it was propoſed to be enacted, that there ſhould be levied and raiſed, upon all the Eſtates, real and perſonal, within the ſaid Province, of all and every Perſon and Perſons, the Eſtates of us the Proprietaries not excepted, the Sum of *Twelve-pence* for every *Pound* clear Value of the ſame, yearly for the Space of two Years, to be paid by the Owners or Poſſeſſors thereof; and that all located and unimproved Lands ſhould be rated according to their Situation and Value, at any Prices not exceeding *Fifteen Pounds*, nor under *Five Pounds* for every Hundred Acres of ſuch unimproved Land; and that Part of ſuch Land ſhould be ſold to diſcharge ſuch Taxes, in Caſe the Owners of the ſame, or ſome Perſon for them, neglected or refuſed to pay the Rates aſſeſſed thereon; and that the Commiſſioners and Aſſeſſors of the County of *Philadelphia* ſhould acquaint themſelves with, and procure the Amount, as near as they were able, of our Eſtate in Quit-rents throughout the Province, and thereupon aſſeſs and tax the ſame, in the ſame Manner as other Eſtates were aſſeſſed and taxed in the reſpective Counties, by Virtue of that Bill. And whereas there are many other Ways of raiſing a Tax of *Fifty Thouſand Pounds* in the ſaid Province, without reſorting to a Land Tax for that Purpoſe; but if a Land Tax was neceſſary for the Raiſing any Supply, it ſhould be founded on Juſtice, and conformable to the Royal Charter, be conſonant to Reaſon, and not repugnant or contrary, but as near as conveniently may be, agreeable to the Laws, Statutes and Rights of the Kingdom of *England*; but the ſaid Bill was framed ſo contrary to Juſtice, and Laws of the ſame Kind in this Kingdom, that by it *One Shilling* in the *Pound*, for two Years, was laid on the

whole

1756. *August* 31. whole Value in Fee-ſimple of every Eſtate, which, ſuppoſing the ſame computed at Twenty-five Years Purchaſe only, is a Charge of a Quarter Part more than the whole groſs Rent, without allowing for any Charges or Repairs; a Tax which never was laid, nor can poſſibly be paid, in any Country; a Part of the Eſtate only being taken for the Preſervation of the Whole; nor was ſo heavy a Tax neceſſary to be laid in *Pennſylvania* for raiſing the Sum of *Fifty Thouſand Pounds:* For if that Tax had been truly and fully aſſeſſed and paid, it muſt have amounted to many times that Sum; but the Laying ſuch a large nominal Tax, appears to us to have been moſt unjuſtly calculated for the Purpoſe of putting it in the Power of Perſons, wholly choſen by the People, to tax our Eſtates up to the full Value therein mentioned, and to eaſe other Perſons, by taxing them ſo lightly, as only to make up the Reſidue that might be wanted to complete the *Fifty Thouſand Pounds*; in which Caſe the Perſons choſen by the People might have laid by much the greateſt Part of the Burden upon our Eſtates alone, which, by former Uſage, had never been taxed at all. And whereas the laying of Taxes on the real Value of the Fee-ſimple, and not on the yearly Income of Eſtates, and upon unimproved Lands, which yield no annual Profit or Rent to the Owner, and the Sale of the Land itſelf, and the Inheritance thereof, for Payment of the Tax impoſed thereon, appear to us highly unreaſonable, and not to be the Practice in *Great-Britain*, and no way agreeable, but quite contrary to the Laws and Statutes of this Kingdom: And whereas, upon the beſt Enquiries we have made, we cannot find that the Quitrents reſerved to the Crown, or to the Proprietaries, in any other of the *American* Colonies, have ever been taxed towards the Raiſing any Supplies granted in thoſe Colonies; and indeed theſe Quitrents are generally ſo ſmall, that little or no Land-Tax would be due or payable on them if ariſing in *Great-Britain*, where Land-Tax Acts are annually paſſed, and the Grantees and Owners of ſuch Farms and Plantations on which ſuch very ſmall Quitrents or Acknowledgments are reſerved to us, do, in Caſe of a Land-Tax, pay Tax for the Value of ſuch their ſaid Farms: And whereas our Lieutenant Governor propoſed to the Aſſembly, to except or exempt our Eſtates out of the Tax to be raiſed by the ſaid *Fifty Thouſand Pound* Bill, which they refuſing to do, he never gave his Aſſent to the ſaid Bill, but acquainted the Aſſembly (as the Truth was) that we were ſo far from deſiring not to contribute to the Defence and Support of his Majeſty's Rights and Dominions, that immediately, on the firſt Notice ſent us of the Defeat of General *Braddock*, we had ſent over an Order upon our Receiver General, to pay out of the Arrears of our Quitrents the Sum of *Five Thouſand Pounds*, as a free Gift, towards the Defence of the ſaid Province; deſiring, at the ſame Time, that all Diſputes might be laid aſide, and that the Governor and Aſſembly would join together in Meaſures to oppoſe the common Enemy: And whereas we believe, that ſuch *Five Thouſand Pounds*, ſo by us given, was about Twenty times more than the Tax upon all our Eſtate there, if truly and proportionably rated, according to all other Perſons Eſtates in the ſaid Province could amount to towards raiſing a Sum of *Fifty Thouſand Pounds*: And whereas the Aſſembly afterwards prepared and ſent up to the ſaid Lieutenant Governor another Bill, entituled, *An Act for granting the Sum of* Sixty Thouſand Pounds *to the King's Uſe, and for ſtriking* Fifty-five Thouſand Pounds *thereof in Bills of Credit, and to provide a Fund for ſinking the ſame*, whereby they propoſed to enact, that there ſhould be levied upon all the Eſtates, Real and Perſonal, within that Province, of all and every Perſon and Perſons (our Eſtates only excepted, in Conſideration of our free Gift herein before and in the ſaid Bill afterward mentioned) the Sum of *Six-pence* for every *Pound*, clear Value of the ſaid Eſtates yearly for the Space of four Years; and alſo, that all located and unimproved Lands in the ſaid Province ſhould be rated in ſuch Manner, and at ſuch Values, as had been propoſed in the ſaid former Bill, and that Part of ſuch Lands ſhould be ſold, in Caſe of Neglect or Refuſal to pay the Tax thereon: And whereas his Majeſty's Service, and the Defence of the ſaid Province, then requiring Money to be immediately raiſed, and our ſaid Lieutenant Governor not being provided with our particular Inſtructions relating to any ſuch Bill, he aſſented to the ſame in the Month of *November* laſt; and when the ſaid Act was ſent over hither for the Approbation of his Majeſty, we, tendering as we ought to do, the then Exigency of Affairs, and the Neceſſity of an immediate Supply for his Majeſty's Service, did not make any Application to his Majeſty for his Royal Diſallowance of the ſaid Act, as we ſhould have done at another Time, and on a leſs Occaſion: And whereas the ſaid Aſſembly, in order to raiſe the ſaid Tax, had, by both their ſaid Bills, appointed Commiſſioners and Aſſeſſors (Perſons choſen by the People only, and not any one of them by us) and thoſe but very few in Number, to aſſeſs or fix the Quotas which each Eſtate ſhould pay; which Perſons, if ever ſo well diſpoſed to act fairly and uprightly therein, can have no Knowledge of the true Value of all the ſeveral Eſtates to be taxed, and yet are made final and abſolute Judges, without Appeal, what Sum each Eſtate ſhall pay towards raiſing the ſaid Tax; whereby, and by laying ſo great a Tax, to raiſe ſo ſmall a Sum, ſuch Perſons may have it in their Power to commit great Irregularities, in taxing ſome Eſtates to their utmoſt Value, and eaſing others, which would be unequal and unjuſt, we having been informed,

that

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that in assessing the ordinary County Levies on the like Plan with that whereon the said Bills were formed, many Persons, instead of being rated to their full Worth, were not rated at one Fiftieth Part of their supposed Worth: And whereas the said Assembly appear to us to have been inclined not only to load and burden our Estates with Taxes by their Authority, directly contrary to former Usage, but even to charge the same disproportionably, and in an unequal Manner, in order to ease the Estates of others, which is a Measure we are by no Means willing to consent to: And as the present Invasion of his Majesty's *American* Dominions may make it necessary to raise further Supplies for his Service in our said Province, the Assembly may hereafter propose and offer Bills or Acts of Assembly, to lay additional Taxes on real Estates there; You are therefore hereby required and directed, not to give your Assent to any Bill or Act of Assembly of that Sort, unless the Act be made to continue for one single Year only, and no longer; nor unless the same be made as agreeable as possible to the general Tenor of the Acts of Parliament annually passed for raising the Land-Tax in that Part of *Great-Britain* called *England* (especially by laying the Tax, with respect to real Estates, upon the particular Houses or Lands, in the respective Counties or Districts) by which the Rate of it may at any Time be seen; nor unless the Tax, as to real Estates, be laid upon the true annual Rent or yearly Value only (such yearly Value, where Persons occupy their own Lands or Houses, to be ascertained in some such Manner as herein after mentioned) and not upon the real Value of the Fee-simple of the real Estate; nor unless the Tax, as to personal Estate, be laid upon the annual Interest or Profit, and not upon the whole Capital thereof; nor unless the whole Method of Assessing, Collecting and Paying in of the same, be particularly and specially laid down in the Body of such Bill or Act itself, and not by Reference to any other Bill or Act; nor unless, in order that such Bill or Act may be founded in equal Justice, there be effectual Clauses therein to ascertain the true and real Rent or yearly Value of every Estate in Land or Houses in the Province; First, by having a good Number of the most considerable Inhabitants out of every Township in the several Counties inserted in the Bill as Commissioners; such Commissioners, before they act, to be solemnly sworn, or affirmed, to do impartial Justice, and to have Power in them to cite and compel to appear and be sworn or affirmed before them, all Tenants and other Persons, in order to discover what Rents are really and truly paid, in Cases where Land or Houses are let out at Rack Rents; and in other Cases, or where Persons occupy their own Land, or reside in their own Houses, the Commissioners to have Power to enquire by the Means aforesaid, or by any other lawful and reasonable Ways and Means, what the Inheritance of such Lands and Houses is worth to be sold at the utmost, and then to estimate and tax such Houses and Lands as of the yearly Value of so much as the Interest of such Sum, at the low Rate of *Three Pounds per Centum per Annum*, amounts to; nor unless all unoccupied and unimproved Lands whatsoever, and also all our Quitrents in the said Province be expressly excepted and exempted from such Tax: But in Case the Assembly shall propose to raise Supplies by a Land-Tax Bill, and such Bill shall be clear of every the foregoing Objections or Prohibitions, and shall not contain any Tax further than after the Rate of *One Shilling*, *Two*, *Three*, or at the utmost *Four Shillings* in the *Pound*, for any one Year, upon the annual Rent or yearly Value, so to be ascertained as aforesaid, of Houses, Lands or Tenements, in the said Province; and also to tax personal Estates in the said Province, subject to the foregoing Regulations; then, and in such Case, you may give your Assent to the same, if you think the same a reasonable, just and necessary Bill in all other Respects. And you shall take Care, that every such Bill or Act, which you shall assent to, shall contain Clauses for the Tenants of real Estates paying such Tax, and deducting the same out of the yearly Rent payable to the Landlord, provided such yearly Rent amounts to the Sum of *Twenty Shillings* and upwards, according to the Act for laying a Land-Tax in *England*, and Clauses for Distress upon any Matters distrainable, being upon the taxed Premises; but no Clause or Power to distrain or sell the House or Land itself, or any Part thereof, in any Case, for Satisfaction of the Tax; and unless such Clauses be inserted, you shall not give your Assent to any such Bill or Act. And whereas we are, and always have been, most ready and willing to bear a just Proportion along with our Tenants in any necessary Tax for the Defence of the said Province, which shall be equally laid upon the Lands of the Inhabitants, and also upon any of our Manors or Lands, which are actually let out on Leases, either for Lives or Years, as being Estates in some Degree like to those of which the Inhabitants are possessed; therefore you are at Liberty to give your Consent to any reasonable Bill or Act for that Purpose, provided the Tax to be paid for such our last-mentioned Estates shall be payable by the Tenants and Occupiers, who shall deduct the same out of the Rents payable by them to us. And you shall not consent to any Bill or Act for taxing the Fine or Purchase-Monies, to be paid to us by any Person, on Purchase from us of any Estate, in Fee-simple, or for Life or Lives, as the Tax is to be laid on the Land; and the Taxing the Money paid for the Purchase of the Lands, or of a Freehold or Inheritance therein, would be, in Effect, to pay two Taxes for the same Thing; and

1756. *August* 31. that Landlords, in this Kingdom, do not pay any Land-Tax for ſuch Purchaſe-Monies, but only for the reſerved Rent, when it amounts to above *Twenty Shillings per Annum*, the Reſidue of the Tax for ſuch Land being paid by the Purchaſer.

A true Copy, compared with the Original, by

RICHARD PETERS, *Secretary.*"

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *September* 1.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he would be at the Council Chamber by Twelve o'Clock this Morning, in order to confer with the Houſe concerning the *French* Neutrals.

Ordered, That *Joſeph Fox*, *John Hughes*, *William Maſters*, *Samuel Brown* and *Joſeph Gibbons* be, with the Speaker, a Committee to confer with the Governor concerning the *French* Neutrals now in this Province.——And the Houſe being informed that the Governor was in the Council Chamber, the Committee waited upon him accordingly. And being returned, the Speaker reported, that they had ſome Converſation with the Governor concerning the *French* Neutrals, but did not come to any Concluſion thereupon, as the Governor informed the Committee that there was a Letter from the Governor of *Nova-Scotia*, and ſeveral other Papers on that Head, which he had not as yet peruſed, but that he would immediately take them into his Conſideration, and lay them before his Council for their Opinion, and then acquaint the Houſe with his Reſult.

The Houſe went upon the Conſideration of the Proprietaries Inſtructions, and Ways and Means for raiſing a Sum of Money for the King's Uſe; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration in the Afternoon.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o'Clock, *P. M.*

The Houſe again reſumed the Conſideration of the Proprietary Inſtructions, and Ways and Means for raiſing a Sum of Money for the King's Uſe; and, after ſome Time ſpent therein,

Ordered, That *Joſeph Fox* and *Benjamin Franklin* wait upon the Governor, and deliver the following Meſſage, *viz.*

May it pleaſe the GOVERNOR,

A Meſſage to the Governor from the Aſſembly.

THE Houſe have taken into their moſt ſerious Conſideration the Proprietary Inſtructions relating to the Paſſing of Money Bills, which the Governor has been pleaſed to lay before us; and as we are fully convinced the preſent unhappy Circumſtances of this Province require very large and immediate Supplies, we have likewiſe conſidered the Funds whereby ſuch Sums as we judge abſolutely neceſſary for the Security of the Province may be ſunk, but every Thing we have hitherto been able to propoſe, muſt be rendered in a great Degree fruitleſs by thoſe Inſtructions, if adhered to.

We therefore requeſt the Governor would be pleaſed to inform us, whether he does not apprehend himſelf at Liberty, notwithſtanding the ſaid Proprietary Inſtructions, to paſs ſuch equitable Bills as we may offer him, if conſiſtent with his own Judgment, and agreeable to ſuch Laws as have been enacted by his Predeceſſors, and received the Royal Aſſent.

September 1, 1756. *Signed by Order of the Houſe,*

ISAAC NORRIS, *Speaker.*"

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *September* 2.

The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he would ſend an Anſwer to the Houſe this Morning.

The Governor, by the Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I AM very glad to hear the Houſe have taken the Money Bills into their ſerious Conſideration, and the Proprietary Inſtructions on that Subject.

'It would be with great Reluctance, eſpecially at this Time, if I ſhould differ in 'Sentiments with the Houſe of Repreſentatives. You will be pleaſed to obſerve how 'I am circumſtanced, and that I cannot recede from my Inſtructions without riſking 'both my Honour and Fortune, which, I am perſuaded, you, Gentlemen, are too equi-'table to deſire.

September 2, 1756. *WILLIAM DENNY.*"

The Houſe again reſumed the Conſideration of the Proprietary Inſtructions, and Ways and Means for raiſing a Sum of Money for the King's Uſe, and after ſome Time ſpent therein, *Reſolved,*

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Resolved, That the Sum to be granted to the King's Use at this Time be *Sixty Thousand Pounds*, and that the same be struck in Bills of Credit, and sunk by an Extension of the Excise Act for Twenty Years.

Ordered, That the Committee appointed to prepare a Bill for granting a Sum of Money to the King's Use, do prepare the same according to the foregoing Resolve.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

A Bill for striking the Sum of *Sixty Thousand Pounds* in Bills of Credit, and giving the same to the King's Use; and for providing a Fund to sink the Bills so to be emitted, by laying an Excise on Wine, Rum, Brandy, and other Spirits, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

A Message from the Governor, by the Secretary:

SIR,

"The Governor directs me to inform the Speaker, and the Committee, that it is the "unanimous Opinion of the Council and himself, that the *French* Prisoners should not "be treated as Prisoners of War.——That he recommends it to the House to provide "for them in such a Manner as they shall think fit.——That it might be better they "should be more generally dispersed and settled as far from the Frontiers as possible.

"Governor *Lawrence's* Letter is sent, to shew the House under what Circumstances "the Neutrals came here."

A Petition from *Joseph Redman*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Petitioner apprehends with Submission that he has faithfully executed his late Office of Collector of the Excise for the City and County of *Philadelphia*, to the general Satisfaction of all Persons concerned; the Petitioner therefore prays that he may be appointed to the said Office in the Excise Bill now before the House.

Ordered to lie on the Table.

Adjournment *September* 3.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Bill for granting *Sixty Thousand Pounds* to the King's Use was read the second time, and after some Time spent in Consideration thereof, the same was referred to farther Consideration in the Afternoon.

Upon Motion made,

Ordered, That *John Hughes* and *Daniel Roberdeau* wait upon the Governor, and acquaint him, that the House desire to know whether some Letters have not been received by the late Governor from Lord *Loudon*, expressing his Expectations from this Province at the present Juncture, and request if any such Letters have been received, that they may be laid before the House for their Consideration.

Adjournment *Post Meridiem*

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he would enquire whether any Letters had been received from Lord *Loudon* by the late Governor, and let the House know this Afternoon.

The Governor, by the Secretary, sent down sundry Letters received by the late Governor relating to public Affairs, which had not been communicated to the House before; and the Secretary informed the House that the Governor was pleased to say, that he made no Doubt but the House would think with him that the said Letters ought not to be made public.

And the same being read, were severally entituled as follow, *viz.*

1. *A Letter from Governor* Lawrence *of* Nova-Scotia *to Governor* Morris, *containing the Reasons for the Removal of the Neutral* French *from that Colony, dated* Halifax, August 11, 1755.

2. *A Letter from Sir* Thomas Robinson *to Governor* Morris, *acquainting him with the Appointment of Governor* Shirley *to be Commander in Chief of his Majesty's Forces in* North-America, *dated* Whitehall, August 28, 1755.

3. *A Letter from Lord* Halifax *to Governor* Morris, *acquainting him with the Appointment of Lord* Loudon *to be Commander in Chief of all his Majesty's Forces in* North-America, *dated* Grovesnor-Square, May 11, 1756.

4. *A Letter from the Right Honourable* Henry Fox, *one of the Secretaries of State, to Governor* Morris, *containing his Majesty's Declaration of War against* France, *dated* Whitehall, May 17, 1756.

5. *A Letter from Lord* Loudon *to Governor* Morris, *notifying his Arrival, &c. dated* New-York, July 23, 1756.

Ordered, That *Joseph Stretch, William Masters, William Smith, Joseph Gibbons, James Webb, David M'Connaughy* and *William Edmonds* be a Committee to inspect and settle the Accounts of the Incidental Charges of the current Year.

An Account from *Hannah Boyd*, for the Maintenance of sundry *Indians*, was laid before the House, and read, and referred to the Committee of Incidental Charges.

The House went upon the Consideration of the Bill for granting *Sixty Thousand Pounds*

to

1756. to the King's Uſe, and, after ſome Alterations made therein, the ſame was referred to farther Conſideration.

September 3. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *September* 4. Sundry Accounts for Public Services were laid before the Houſe, read, and referred to the Committee of Incidental Charges.

The Houſe reſumed the Conſideration of the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Ordered, That *James Wright*, *John Wright* and *David M'Connaughy* have Leave to be abſent the Remainder of this Sitting, on urgent Buſineſs.

Adjournment *September* 6. Then the Houſe adjourned to next *Second-day*, at Three o'Clock in the Afternoon.

Poſt Meridiem The Houſe met, purſuant to their Adjournment.

The Governor, by the Secretary, ſent down to the Houſe ſundry Petitions he had received from the Back Counties, ſetting forth their preſent diſtreſſed Situation, and praying Relief; which, the Secretary informed the Houſe, the Governor recommended to their Conſideration. And the ſame were read, and ordered to lie on the Table for the Peruſal of the Members.

A Petition from *Charles Humphreys*, of the County of *Cheſter*, praying to be appointed the Officer for collecting the Exciſe in ſaid County, in the Bill now before the Houſe, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Houſe again reſumed the Conſideration of the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 7. A Petition from *Hugh Davey*, of the City of *Philadelphia*, Merchant, praying that in the Bill now before the Houſe he may be appointed the Officer for collecting the Exciſe for the City and County of *Philadelphia*, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Upon the Application of a certain *Jacob People*, of the County of *Cumberland*, the Houſe allowed him *Three Pounds* towards his Relief in his preſent Diſtreſs, occaſioned by the Enemy *Indians*.

A Petition from *Barnaby Barnes*, of the City of *Philadelphia*, was preſented to the Houſe and read, praying to be appointed the Officer for collecting the Exciſe for the ſaid City and County, in the Bill now under the Conſideration of the Houſe. *Ordered to lie on the Table.*

The Houſe again reſumed the Conſideration of the Bill for granting the Sum of *Sixty Thouſand Pounds* to the King's Uſe; and, after ſundry Alterations made therein, the ſame was ordered to be tranſcribed for a third Reading.

A Petition from *Joſeph Maule*, of the City of *Philadelphia*, praying to be nominated Collector of the Exciſe for the City and County of *Philadelphia*, in the Bill now before the Houſe, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem A Petition from *John Miller*, of the County of *Cheſter*, praying to be appointed Collector of the Exciſe for ſaid County, in the Bill now under the Conſideration of the Houſe, was preſented to the Houſe and read, and *Ordered to lie on the Table.*

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 8. The ſeveral Petitions for the Exciſe Office were again read, and conſidered; and, after ſome Time ſpent therein, the Houſe came to the following Reſolutions, *viz.*

Reſolved, That *Joſeph Stretch* be Collector of the Exciſe within the City and County of *Philadelphia*.

Reſolved, That *Joſeph Hamton* be Collector of the Exciſe within the County of *Bucks*.

Reſolved, That *Charles Humphreys* be Collector of the Exciſe within the County of *Cheſter*.

Reſolved, That *James Webb* be Collector of the Exciſe within the County of *Lancaſter*.

Reſolved, That *Thomas Minſhall* be Collector of the Exciſe within the County of *York*.

Reſolved, That *Nathaniel Wilſon* be Collector of the Exciſe within the County of *Cumberland*.

Reſolved, That *John Hughes* be Collector of the Exciſe within the County of *Berks*.

Reſolved, That *John Jones* be Collector of the Exciſe within the County of *Northampton*.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill for ſtriking the Sum of *Sixty Thouſand Pounds* in Bills of Credit, and giving the ſame to the King's Uſe; and for providing a Fund to ſink the Bills ſo to be emitted, by laying an Exciſe on Wine, Rum, Brandy, and other Spirits, being tranſcribed, was read the third time, and the Names of the ſeveral Collectors inſerted therein.

Reſolved, That the Bill do paſs.

Ordered,

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Ordered, That *Richard Pearn* and *Daniel Roberdeau* do carry up the same to the Governor for his Concurrence.

The following are the appropriating Clauses in the before-mentioned Bill for granting Sixty Thousand Pounds *to the King's Use*, viz.

Appropriating Clauses in the said Bill.

" *And be it further enacted* by the Authority aforesaid, that when the said Bills are signed and perfected, *Ten Thousand Pounds*, Part of the said *Sixty Thousand Pounds* hereby granted and given to the King's Use, shall be a Contribution from this Province towards a general *American* Fund, for the common Service and Defence of the Colonies, and shall be subject to the Orders of the Right Honourable JOHN Earl of LOUDON, Commander in Chief of his Majesty's Forces in *North-America*; to be disposed of and paid in such Manner as he shall think fit to direct for that Service. *And whereas* the Expedition of the last Year against *Crown-Point*, received an Aid from this Province of *Ten Thousand Pounds* in Provisions, and *Five Thousand Pounds* in Provisions were likewise granted and furnished to the late General *Braddock*, the Whole of which were purchased on the Credit of the Assembly, and Notes or Orders issued and given for the same, amounting to *Fifteen Thousand Pounds*, bearing Interest at *Five per Centum per Annum*, whereof upwards of *Ten Thousand Pounds* are not yet redeemed, nor through the present calamitous Circumstances of the Province can they be redeemed in due Time, without greatly distressing the Inhabitants, unless by the Aid of this Act; as no Part of the *One Hundred* and *Fifteen Thousand Pounds* granted by Parliament to the Colonies concerned in the before-mentioned Expedition, has been allotted to *Pennsylvania*; *Therefore be it further enacted* by the Authority aforesaid, that the Trustees of the General Loan-Office shall receive and pay off the said Orders to the Amount of *Ten Thousand Pounds* Principal, together with the Interest thereon due, within three Months after the Publication of this Act, out of the Money hereby to be struck and made current; and the said Orders by them produced to the Committee of Assembly, appointed or to be appointed for the auditing and settling the Public Accounts, with Indorsements of the Times when redeemed, and Interest thereon paid, shall be allowed as good and sufficient Discharges for so much of the said *Sixty Thousand Pounds* by this Act placed in their Hands: And the Orders so exchanged and produced to the Committee of Accounts, shall, in their Presence, be immediately burnt and destroyed. *And whereas* the Commissioners nominated and appointed by the Act heretofore passed by this Assembly, entituled, " *An Act* " *for granting the Sum of* Sixty Thousand Pounds *for the King's Use, and for striking* Fifty-" five Thousand Pounds *thereof in Bills of Credit, and to provide a Fund for sinking the* " *same*," have, with the Consent of the Governor, already expended the Sum of *Fifty-five Thousand Pounds*, and have entered into Contracts for the King's Service, exceeding (after the Proprietaries Free Gift be fully paid) the whole Sum of *Sixty Thousand Pounds* granted by the said Act: *Therefore be it further enacted* by the Authority aforesaid, that the Commissioners herein after named, or the major Part of them, or of the Survivors of them, shall, and they are hereby impowered to discharge and pay all such Debts as the Commissioners appointed by the Act herein before-mentioned for granting *Sixty Thousand Pounds* to the King's Use, shall certify under their Hands (or the Hands of a Majority of them) to be Debts justly due, and contracted for the King's Service, and properly chargeable to this Province.

And be it further enacted by the Authority aforesaid, that *Isaac Norris*, *Lyn-Ford Lardner*, *John Mifflin*, *Benjamin Franklin*, *Joseph Fox*, *John Hughes* and *William Masters*, Esquires, or the major Part of them, or of the Survivors of them, with the Consent and Approbation of the Governor, or Commander in Chief of this Province for the Time being, and not otherwise, shall order and appoint the Disposition of the Residue of the Monies arising, by Virtue of this Act, for the King's Use."

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

September 9.

The Gentlemen appointed to wait upon the Governor with the Bill for granting *Sixty Thousand Pounds* to the King's Use, report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he would give it all the Dispatch in his Power.

The House agreed to allow *John Cox* the Sum of *Three Pounds* in Consideration of his present distressed Circumstances, occasioned by his having been lately a Prisoner among the *Indians*.

The Bill, entituled, *An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of* Philadelphia, *and for raising of Money on the Inhabitants and Estates of the said City, for defraying the necessary Expences thereof*, being engrossed, was read, and compared at the Table.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Post Meridiem

Ordered, That *Joseph Stretch* and *John Hughes* do wait upon the Governor and deliver the Bill for regulating and continuing the Nightly Watch, *&c.* with the following Message, *viz.*

1756.

May it pleaſe the GOVERNOR,

September 9. A Meſſage to the Governor from the Aſſembly.

WE herewith ſend up to the Governor a Bill, entituled, *An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of* Philadelphia, *and for raiſing of Money on the Inhabitants and Eſtates of the ſaid City for defraying the neceſſary Expences thereof.*

This Bill was framed and ſent up to our late Governor near the End of his Adminiſtration, and, after ſeveral Amendments, was agreed to by both Parts of the Legiſlature, and engroſſed by Order of the Houſe. In this Situation it lay ready to be enacted into a Law when the Governor arrived among us: We have therefore by ſpecial Order inſerted his Name into the enacting Clauſe, and now ſend up the engroſſed Bill, together with the one which had been conſidered by our late Governor.

If the Governor ſhall think fit to paſs this Bill, we will, whenever it may ſuit him, appoint two of our Members to join ſuch of the Council as he may be pleaſed to nominate for comparing the ſame, in order to its being enacted into a Law.

September 9, 1756. *Signed, by Order of the Houſe,*
ISAAC NORRIS, *Speaker.*"

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 10. Sundry Accounts from *Bethlehem*, in *Northampton* County, for the Maintenance of *Indians*, and other public Expences, were laid before the Houſe and read, and referred to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem An Account from *Conrad Young*, of *Lancaſter* County, for Maintenance of ſundry *Indians*, in *February* laſt, who came down to *Philadelphia* with Captain *Thomas Magee*, was laid before the Houſe and read, and referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 11. *Ordered*, That *Samuel Brown* and *Joſeph Gibbons* wait upon the Governor, and acquaint him, that the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, has now been near three Days before him, and the Houſe deſire to know when they may expect his Reſult thereupon.

The Houſe reſumed the Conſideration of the Petition from *Joſeph Yeates*, a languiſhing Priſoner in the Goal of the City of *Philadelphia*; and, after ſome Time ſpent therein,

Ordered, That the ſaid *Yeates* have Leave to bring in a Bill for the Purpoſes mentioned in his ſaid Petition, and that he firſt give Notice thereof to his Creditor or his Attorney.

A Meſſage from the Governor, by the Secretary:

S *I R*,

" The Governor meeting with ſome Difficulties in the Conſideration of the Bill for " granting *Sixty Thouſand Pounds* to the King's Uſe, deſires a Conference with a Com- " mittee of the Houſe thereupon, in the Council Chamber, on *Monday* next, at Ten " o'Clock in the Morning, if that Time be agreeable to the Houſe."——And then the Secretary withdrew.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he had juſt ſent the Secretary with a Meſſage to the Houſe concerning the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe.

Reſolved, That this Houſe doth agree to a Conference with the Governor, agreeable to his Deſire.

Ordered, That *Joſeph Fox*, *John Hughes*, *Thomas Leech*, *Daniel Roberdeau*, *Benjamin Franklin*, *William Maſters*, *Calvin Cooper*, *Joſeph Armſtrong*, *John Potts* and *William Edmonds* be, with the Speaker, a Committee to confer with the Governor on the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, at the Time and Place by him propoſed.

Ordered, That *John Hughes* and *Daniel Roberdeau* wait upon the Governor, and acquaint him, that the Houſe have appointed a Committee to confer with him, according to his Requeſt.

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock in the Afternoon.

September 13. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Committee appointed to confer with the Governor on the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, reported, that, purſuant to the Order of the Houſe, they had waited on the Governor, who was pleaſed to expreſs himſelf to the following Purport, *viz.*

" That although, at the Requeſt of the Houſe, he had laid the Proprietary Inſtruc- " tions before them, with the utmoſt Candour, yet he was ſurprized to find there was " a Clauſe in the Bill now before him, whereby the Surplus Money (if any) was to be " in the Diſpoſition of the Aſſembly, contrary to the ſaid Proprietary Inſtructions; that " the Term for ſinking the Sum granted to the King's Uſe was too long, and would

" depreciate

" depreciate the Value of the Currency; that ſo long a Time was contrary to the Senſe " of the Miniſtry, and the Spirit of the Act of Parliament, which reſtrains the Eaſtern " Colonies from ſtriking Bills of Credit for any longer Term, even upon the moſt preſ- " ſing Emergencies, than Five Years only; that in the Report of the Board of Trade " on the Act paſſed by this Aſſembly, for granting *Sixty Thouſand Pounds* to the King's " Uſe, the chief Reaſon their Lordſhips urged for not adviſing his Majeſty to diſallow " that Act, was the Shortneſs of the Time for ſinking the ſame; and that there were " many Ways to ſink the Sum granted to the King's Uſe, by the preſent Bill, without " extending the Exciſe for ſo long a Time."

1756. *September* 13.

The Governor then made the following Objections (the Heads of which he afterwards delivered to them, at their Requeſt, in Writing,) *viz.*

OBJECTIONS to the Bill for raiſing Sixty Thouſand Pounds *for the King's Uſe*, &c. &c. &c.

Governor's Objections to the 60,000 £. Bill.

OBJECTION 1ſt, To the Term of Twenty Years, as too long a Time.

As ſo long a Term may endanger the entire Loſs of the Currency. The Lords of Trade in their Report of April 15, 1756, *to the Committee of his Majeſty's Honourable Privy Council for Trade and Plantations on the laſt Act for granting* Sixty Thouſand Pounds *to the King's Uſe, having expreſsly declared, that the Shortneſs of the Time was the Reaſon that induced their Lordſhips to adviſe his Majeſty to give his Aſſent to it.*

2d, To the Diſpoſition of the Surplus Money to ariſe on this Bill, by the Aſſembly alone.

3d, To the Making the *Ten Thouſand Pounds*, given in the Bill as a Contribution to a General Fund, ſubject to the Order of Lord *Loudon* only, and not of the Commander in Chief for the Time being of the King's Forces in *America*.

4th, To the Applying any of the Money to be raiſed by this Bill, to the Diſcharge of *Ten Thouſand Pounds* given for the Uſe of the *Crown-Point* Expedition, and the Intereſt ariſing on that Sum.

As the ſaid Sum was iſſued upon a Fund already eſtabliſhed.

5th, Againſt the Clauſe ſubjecting Perſons counterfeiting Bills of Credit to Capital Puniſhment, by a Reference to a former Law, which will expire before the Time limited in the Bill.

As he had taken the Advice of a Lawyer, who was of Opinion that a Puniſhment could not be inflicted by referring to a Law, after the ſaid Law ſhould be expired.

6th, Againſt laying Fines on the Court of Quarter-Seſſions, *&c. &c.*

As it was new and unprecedented to fine a Court.

7th, Againſt Collectors continuing only one Year in Office.

As in ſo ſhort a Time as one Year the Collectors could not ſufficiently learn the Duties of their Office.

8th, Againſt Treaſurers giving Bond to the Governor, who in Law has no Succeſſion, not being a Body Politic.

9th, Againſt taking Treaſurers Bond in ſo ſmall a Sum as *One Thouſand Pounds*.

10th, Againſt applying any Part of the Monies ariſing from this Bill towards the Diſcharge of any Part of the *Five Thouſand Pounds* given for the *Canada* Expedition.

As the ſame was already provided for in the former Exciſe Act.

After which the Governor added,

" That he had ſeveral Applications to him from the Frontiers, requeſting the Aid of " the Legiſlature under their preſent diſtreſſed Circumſtances: That the Eyes of the " neighbouring Colonies were upon us, and, above all, the Nation of *England* were in " Expectation of our granting the neceſſary Supplies for the King's Service; that he was " ſorry to find the firſt Bill offered to him ſhould be ſuch as he could not paſs; and that " he hoped we ſhould ſo conduct ourſelves as that he might make a favourable Repre- " ſentation of our Conduct to his Majeſty."

The Committee likewiſe reported, that as the Houſe had not been previouſly acquainted with the Objections intended by the Governor to be made the Subject of the Conference, they did not think it proper to make any immediate Anſwer thereto; and had therefore informed the Governor, that they would lay the ſaid Objections before the Houſe, and take the Senſe of the Members thereupon, which they would communicate to the Governor at another Conference, if he would be pleaſed to conſent to one for that Purpoſe; to which the Governor replied, that he ſhould be always ready to confer with the Houſe, at any Time they ſhould propoſe.

The Speaker informed the Houſe, that the Governor having told him at the Conference that he agreed to the Paſſing the Bill for regulating and continuing the Nightly Watch, *&c.* and had appointed two of his Council to join ſuch Members of the Houſe as ſhould be appointed to examine and compare the engroſſed Bill with the Original, he, the Speaker, had, in order to ſave Time, appointed *Joſeph Fox* and *John Potts*, to meet the ſaid Members of Council for that Purpoſe.

And

1756. *September* 13. And the ſaid Gentlemen reported, that they had, with two Members of Council, compared the engroſſed Bill with the Original accordingly, and found them to agree.

The Houſe went upon the Conſideration of the Report of the Committee appointed to confer with the Governor on the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, and, after ſome Time ſpent therein,

Ordered, That *Joſeph Fox*, *John Hughes*, *Daniel Roberdeau*, *Benjamin Franklin* and *William Maſters* be a Committee to prepare ſuch Reaſons as they may judge proper to be offered in Anſwer to the Governor's Objections to the ſaid Bill.

Ordered, That *Richard Pearn* and *William Edmonds* wait upon the Governor, and acquaint him, that the Houſe deſire another Conference with him on the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, and requeſt that he would be pleaſed to appoint a Time for that Purpoſe.

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that he would be at the Council Chamber To-morrow Morning at Ten o'Clock, in order to confer with a Committee of the Houſe upon the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe.

The Committee appointed to prepare Reaſons in Anſwer to the Governor's Objections to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, reported the ſame to the Houſe in Writing; and the ſame being read, and conſidered, were approved by the Houſe, and ordered to be tranſcribed.

Adjournment. Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

September 14. The Reaſons in Anſwer to the Governor's Objections to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe being tranſcribed, were delivered to the Committee appointed to confer with the Governor thereupon.

And then the Committee went to the Conference.

The Committee return, and report, that they had met the Governor in Council, and had offered the following Reaſons in Anſwer to the Objections made by him to the Bill for granting *Sixty Thouſand Pounds* to the King's Uſe, which he ſaid he would take into Conſideration, and let the Houſe know his Reſult thereupon as ſoon as poſſible.

REASONS offered to the GOVERNOR, *by the Committee of* ASSEMBLY, *at a ſecond Conference, in Anſwer to the* GOVERNOR'S *Objections to the Bill for granting* Sixty Thouſand Pounds *to the KING's Uſe.*

Reaſons, in Anſwer to the Governor's Objections to the 60,000£ Bill. The Houſe are very thankful to the Governor for the Readineſs and Candour with which he communicated to them the Proprietary Inſtructions, relating to Money Bills.

They deſire he would be pleaſed to remember, that they requeſted the *Reaſons* on which thoſe Inſtructions were founded, as well as the Inſtructions themſelves; their Deſign being to comply with the Inſtructions, if the Reaſons ſhould convince their Judgments, but not otherwiſe, the Proprietary Inſtructions being by no Means Laws in this Province.

They have the greateſt Reſpect and Eſteem for the Governor, and the ſtrongeſt and moſt ſincere Deſire to do every Thing that may be agreeable to him, conſiſtent with the juſt Rights and Privileges of the People they repreſent.——They beg therefore that he would be pleaſed to give no Ear to any Inſinuations to the contrary. And the Committee having taken the Senſe of the Houſe on the Objections made to the Bill for raiſing *Sixty Thouſand Pounds* for the King's Uſe, humbly offer the following Remarks to the Governor on thoſe Objections, in their Order.

1. The Houſe choſe, at this Time, an Exciſe Bill rather than a Land-Tax Bill, to avoid any Diſpute about taxing the Proprietary Eſtate, and becauſe, as it was a Mode of raiſing Money they were uſed to and underſtood, the Bill might more ſpeedily be formed and brought to Effect, ſo as to anſwer the preſent preſſing Emergency; and being in the ſame Form with a Number of preceding Exciſe Bills, that had been paſſed by former Governors, gone through the Offices at Home, and received the Royal Aſſent; they well hoped it might meet with no Objections.

The laſt time it paſſed, the Term was Ten Years. No Inconvenience aroſe from the Length of that Term. Could we have ſunk the Sum we wanted by the Exciſe in that Term, we ſhould not deſire to extend it. But we expect it will not yield more in Twenty Years than the *Sixty Thouſand Pounds* granted. The Act of Parliament made for the Eaſtern Colonies, is not in Force here. Had the Parliament thought it fit that this Province ſhould be governed by that Act, they would not have excluded *Pennſylvania* out of the Bill, as they actually did. Governor *Hamilton* had formerly offered to extend the Exciſe to any Term, during which we would load it with *Three Thouſand Pounds per Annum*, granted to the Crown. From whence we concluded the Term of Twenty Years would not be objected to, *Sixty Thouſand Pounds* being granted.

Other Taxes or Exciſes on other Conſumptions might poſſibly be laid, but we have no Experience of them: They will require a Time of more Leiſure to be well conſidered, and Laws for collecting them properly formed, ſo as to be effectual, and not injurious to our Trade. If this War continues, we may ſoon want them all; and the ſuc-

ceeding

ceeding Assembly may take those Matters in Hand immediately after their Meeting, so as to have such new Excises ready before the Money now granted is expended; though we still think a well proportioned Tax on Property the most equal and just Way of raising Money. 1756. *September* 14.

If every Man who received our Bills of Credit in Payment, was obliged to keep them in his Hands till the End of Twenty Years, to be sure the Length of the Term would occasion a proportionable Depreciation. But they being a legal Tender in all Payments, and the Possessor able to exchange them immediately for their Value, it is not Length of Term, but Excess of Quantity, that must occasion their Depreciation; and that Quantity is by this Bill yearly to diminish. Besides, the *Eighty Thousand Pounds* we have out on Loan, is now to sink in the next six Years, which will greatly lessen our Currency, and consequently lessen the Danger of the Depreciation.

If the Quantity should prove too great, which we believe it will not, a subsequent Act, laying Excise or Duty on other Commodities, encreasing the Duty *per* Gallon, raising it also from private Consumption, or obtaining Money by any other Means for the public Service, may be made, and the Money applied to the more speedy Sinking this *Sixty Thousand Pounds*.

2. There will probably be little or no Surplus left to the Disposition of the Assembly. People now leave the Province faster than they come into it. The Importation of *Germans* is pretty much over. Many go from us to settle where Land is cheaper. —— The Danger attending Frontier Settlements will probably be long remembered, even after a Peace may be restored. And if our Inhabitants diminish, the Excise will be lessened instead of being increased. ——At its best, it produces, *communibus Annis*, not more than *Three Thousand Pounds per Annum*.

In former Excise Laws the Assembly have had the Disposition of the Whole.—They preserved the public Credit. Paid all public Debts punctually every Year. — And have not abused the Trust reposed in them.

The Instruction is not a Royal but Proprietary Instruction, calculated to establish arbitrary Government among us, to distress the Assembly and People, and put it out of their Power to support their Complaints at Home. It would moreover deprive us of a just Right and Privilege, enjoyed from the first Settlement of the Country.

3. Lord *Loudon* is a Nobleman distinguished by the great Trust the Crown hath placed in him. We have likewise received a high Character of his Integrity and Uprightness, which induces us to confide in him. The Chance of War (which Heaven prevent) may, after several Removes, give him a Successor unknown to us. If it should be found necessary and convenient before the Money is expended, the Governor and Assembly can at any Time, by a little Act, subject the Remainder to the Order of his Successor, the Commander in Chief for the Time being.

4. It is true, there was a Fund appropriated to sink the Notes issued for the Grant to the *Crown-Point* Expedition. That Fund in a great Measure fails by the Loss of one whole County to the Enemy, and the Abandoning considerable Parts of other Counties, where Lands mortgaged to the Loan-Office are situated. The whole Sum was appropriated to the King's Service. And if those Notes had not been issued, that Assistance could not have been given, as our Affairs were then circumstanced. They cannot be redeemed in due Time by that Fund, without adding to the Distresses of the People, already too great, and the Public Credit ought to be kept up, as it may be wanted on some future Emergency. Besides, those Notes bear Interest, and at this Time the Province is less able than ever to pay Interest. We should now save Money by all Means in our Power.

5. Though the Law referred to may expire some Years before the Time limited in the Bill, yet as the Punishment is to be inflicted by Virtue of the present Law, and not by Virtue of the Law referred to, which is only referred to for the Description of the Punishment; and as that Law, after its Expiration, will still remain on our Records, we apprehend no Inconveniency can arise from the Reference objected to. If any should arise, a subsequent Act may remedy it.

6. By all former Excise Laws it was required of the Magistrates not to grant Recommendations till the Certificates of Payment of Excise were produced; but no Penalty was laid for their Non-compliance. A Law without a Penalty is vain. This has proved so; being generally disregarded. As it is *for the King*, tending to the more effectual Collection of the Excise granted, and by no Means difficult to be complied with by the Magistrates, we think it reasonable to fix a Penalty on that Breach of Duty.

7. If the Clause were, that the Collector should not be capable of being re-appointed after one Year, the Reason would have more Weight. But he may, and probably will, be continued from Year to Year, if he shews himself diligent in Collecting, and punctual in Paying his Collections to the Treasurer. We have found by Experience, that Officers appointed for long Terms, grow negligent of their Duty, and yet are not easily removed. Great Sums have thereby been lost to the Public. And we have had Instances

1756. *September* 14. of Collectors appointed to fill a Vacancy a Year before the Expiration of the Term, being extremely diligent, in order to recommend themſelves to a Continuance after the Year ſhould expire, which has proved much to the public Advantage. Our Sheriffs and Coroners, whoſe Duty is more hard to learn, are choſen from Year to Year, without any Inconvenience.

8, 9. In theſe Particulars, the Bill is conformable to former Exciſe Laws, which have received the Royal Aſſent, and no Inconvenience has ariſen.

10. The Fund appropriated for ſinking the *Five Thouſand Pounds*, given for the *Canada* Expedition, was broke in upon by the late extraordinary Demands for public Money. *Five Thouſand Pounds* was given in Proviſions to General *Braddock*, and near *Four Thouſand Pounds* more to cut a Road for the King's Service at the Inſtance of that General; beſides large Sums for the Maintenance of *Indians*, extraordinary and expenſive Treaties, *&c.* not expected or foreſeen when the Fund was laid. It may therefore fall ſhort, and the outſtanding Debts not pay the Whole, but however the Public Credit ought to be ſupported; and the new laid Exciſe is the moſt proper Fund to ſupply Deficiencies in the Old.

The Houſe cannot be ſuppoſed inſenſible of the Diſtreſſes of their Fellow-Subjects on the Frontiers. Several of the Members reſide there. They hoped they had in this Bill provided for thoſe People the Means of ſpeedy Aſſiſtance, and avoided all Objections. They ſee none now of Importance enough, in their Opinion, to prevent the Paſſage of the Bill. They grant the Money freely to the King's Uſe, and cannot admit of Amendments to a Money Bill: They therefore perſuade themſelves, that the Governor will conſider the preſent Circumſtances of the Province, and the Conſequence of diſpiriting the Inhabitants, by depriving them at this Time of their Privileges, without which they would think the Country ſcarce worth defending; and that he will not ſuffer a Proprietary Inſtruction, new, unjuſt, and unſeaſonable, to deprive his Majeſty of a Grant ſo large, ſo freely given, and ſo neceſſary for his Service; and for the Preſervation of the Proprietary Eſtate, as well as the ſecuring the Lives and Fortunes of the Inhabitants, who promiſed themſelves great Happineſs in being placed immediately under his Care and Protection.

A Bill for the Relief of *Joſeph Yeates*, a languiſhing Priſoner in the Goal of *Philadelphia*, with Reſpect to the Impriſonment of his Perſon, was brought in, according to the Leave of the Houſe, read the firſt time, and ordered a ſecond Reading.

A Copy of the Notice ſent by the ſaid *Yeates* to his Creditor, or, in Caſe of his Abſence, to the Attorney of the ſaid Creditor, was laid before the Houſe and read.

The Governor, by the Secretary, ſent down the engroſſed Bill for regulating and continuing the Nightly Watch, *&c.* with a verbal Meſſage, that as the ſame had been compared and found to agree with the Original, he was ready to paſs it into a Law whenever the Houſe ſhould preſent it to him for that Purpoſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe again reſumed the Conſideration of the Proprietary Inſtructions, relating to Money Bills, and, after ſome Time ſpent therein,

Ordered, That *John Hughes*, *Thomas Leech*, *Daniel Roberdeau*, *Benjamin Franklin* and *William Maſters* be a Committee to conſider the ſaid Inſtructions, and report their Opinion thereon to the Houſe.

Ordered, That the ſame Committee do likewiſe (if they find they have ſufficient Time during the Sitting of this Aſſembly) draw up a Repreſentation of the preſent State of this Province, and report the ſame to the Houſe.

Ordered, That *Joſeph Trotter* and *Griffith Owen* wait upon the Governor, and acquaint him, that the Houſe deſire he would be pleaſed to appoint a Time when they ſhall wait upon him, in order to enact the Bill for regulating and continuing the Nightly Watch, *&c.* into a Law.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 15. The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, reported, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would be at the Council Chamber at a Quarter after Eleven o'Clock, in order to enact the Bill for regulating and continuing the Nightly Watch, *&c.* into a Law.

Ordered, That *Joſeph Fox* and *Daniel Roberdeau* ſee the Great Seal affixed to the Law, after it ſhall be paſſed, and the ſame depoſited in the Rolls Office.

Then the Speaker, with the whole Houſe, waited upon the Governor. — And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of* Philadelphia; *and for raiſing of Money on the Inhabitants, and Eſtates of the ſaid City, for defraying the neceſſary Expences thereof*; to which the Governor was pleaſed to give his Aſſent, by enacting the ſame into a Law.

Watch and *Lamp* Law enacted.

The

The Gentlemen appointed to see the Great Seal affixed to the Law, and the same deposited in the Rolls Office, reported, that the same was done according to Order. 1756. *September* 15.

A Message from the Governor, by the Secretary:

SIR,

"The Governor returns the Bill, entituled, *An Act for striking the Sum of* Sixty Thou-"sand Pounds *in Bills of Credit, and giving the same to the King's Use, and for provide-"ing a Fund to sink the Bills so to be emitted, by laying an Excise upon Wine, Rum, Brandy, "and other Spirits*. And his Honour commands me to acquaint the House, that he *will "not* give his Assent to it; and there being no Person to judge between the Governor "and the House in these Parts, he will immediately transmit to his Majesty his Reasons "for so doing."

After some Time spent in the Consideration of the foregoing Message, the same was referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Bill for the Relief of *Joseph Yeates*, a languishing Prisoner in the Goal of *Philadelphia*, with respect to the Imprisonment of his Person, was read the second time, and debated; and, after some Alterations made therein, it was ordered to be transcribed for a third Reading. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill, entituled, *An Act for the Relief of* Joseph Yeates, *a languishing Prisoner in the Goal of* Philadelphia, *with respect to the Imprisonment of his Person*, being transcribed, was read the third time. *September* 16.

Resolved, That the Bill do pass.

Ordered, That *Joseph Stretch* and *Richard Pearn* do carry up the said Bill to the Governor for his Concurrence.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Gentlemen appointed to wait upon the Governor with the Bill for the Relief of *Joseph Yeates*, &c. report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he would give it all the Dispatch in his Power. *Post Meridiem*

The House resuming the Consideration of the Governor's Objections to the Bill for granting *Sixty Thousand Pounds* to the King's Use, and the Committee's Report thereupon, with the Governor's verbal Message refusing his Assent to the said Bill, and also the Proprietary Instructions, prescribing to the Representatives of the Freemen of this Province the Modes of their raising Money for the King's Service,

Resolved, That the said Proprietary Instructions are arbitrary and unjust, an Infraction of our Charter, a total Subversion of our Constitution, and a manifest Violation of our Rights, as freeborn Subjects of *England*.

Resolved, That the Bill for granting *Sixty Thousand Pounds* to the King's Use, to which the Governor has been pleased to refuse his Assent, contains nothing "inconsistent with "our Duty to the Crown, or the Proprietary Rights," and is agreeable to Laws which have been hitherto enacted within this Province, and received the Royal Approbation.

Resolved, That the Right of granting Supplies to the Crown is in the Assembly alone, as an essential Part of our Constitution, and the Limitation of all such Grants, as to the Matter, Manner, Measure and Time, is only in them.

Resolved, That it is the Opinion of this House, that the many frivolous Objections, which our Governors have been advised from Time to Time to make to our Money Bills, were calculated with a View to embarrass and perplex the Representatives of the People, to prevent their doing any Thing effectual for the Defence of their Country, and thereby render them odious to their gracious Sovereign, and to their Fellow-Subjects, both at Home and Abroad.

Resolved, That the Proprietaries encreasing their Restrictions upon the Governor, beyond what they had ever done before, at a Time when the Province is invaded by the King's Enemies, and barbarous Tribes of *Indians* are ravaging the Frontier Settlements, and their forbidding the Passing of any Bills whereby Money may be raised for the Defence of the Inhabitants, unless those Instructions are strictly complied with, is tyrannical, cruel and oppressive, with Regard to the People, and extremely injurious to the King's Service: Since, if the Assembly should adhere to their Rights, as they justly might, the whole Province would be thrown into Confusion, abandoned to the Enemy, and lost to the Crown.

The House therefore, reserving their Rights in their full Extent on all future Occasions, and PROTESTING against the Proprietary Instructions and Prohibitions, do, nevertheless, in Duty to the King, and Compassion for the suffering Inhabitants of their distressed Country, and in humble but full Confidence of the Justice of his Majesty, and a *British* Parliament, wave their Rights on this present Occasion only; and do further *Resolve*, that a new Bill be brought in for granting a Sum of Money to the King's Use, and that the same be made conformable to the said Instructions, *&c.*

Ordered, That *Daniel Roberdeau, Benjamin Franklin, Mahlon Kirkbride, Peter Dicks, Calvin*

1756. *September* 16. *Calvin Cooper*, *Joſeph Armſtrong*, *John Potts* and *William Edmonds* be a Committee to prepare and bring in a Bill for granting the Sum of *Thirty Thouſand Pounds* to the King's Uſe, to be ſtruck in Paper Bills of Credit, and ſunk by an Exciſe on ſpirituous Liquors within Ten Years.

Ordered, That *Benjamin Franklin* and *William Maſters* be a Committee to prepare and bring in a Bill for eſtabliſhing and regulating the *Indian* Trade within this Province.

A Bill for ſtriking the Sum of *Thirty Thouſand Pounds* in Bills of Credit, and giving the ſame to the King's Uſe; and for providing a Fund to ſink the Bills ſo to be emitted, by laying an Exciſe on Wine, Rum, Brandy, and other Spirits, was brought in by the Committee appointed for that Purpoſe, read the firſt time, and ordered a ſecond Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 17. The Governor, by the Secretary, ſent down to the Houſe, a Letter from Governor *Dinwiddie*, dated *September* 8, 1756, which was read, and ordered to lie on the Table for the Peruſal of the Members.

The Bill for granting *Thirty Thouſand Pounds* to the King's Uſe was read the ſecond time; and, after ſome Time ſpent in Conſideration thereof, was ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill, entituled, *An Act for ſtriking the Sum of* Thirty Thouſand Pounds *in Bills of Credit, and for providing a Fund to ſink the Bills ſo to be emitted, by laying an Exciſe on Wine, Rum, Brandy, and other Spirits*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That *Benjamin Franklin* and *William Maſters* do carry up the ſame to the Governor for his Concurrence.

The Gentlemen return, and report, that they had delivered the Bill for granting *Thirty Thouſand Pounds* to the King's Uſe according to Order; and that the Governor was pleaſed to ſay, that he would take the ſaid Bill into immediate Conſideration, and let the Houſe know his Reſult thereupon To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 18. The Houſe met, and the Governor having by the Secretary requeſted that the Houſe would meet again this Afternoon, as he had not yet come to any Reſult upon the Bill for granting *Thirty Thouſand Pounds* to the King's Uſe, they accordingly

Adjournment Adjourned to Three o'Clock, *P. M.*

Poſt Meridiem A Meſſage from the Governor, by the Secretary:

S *I R*,

" The Bill, entituled, *An Act for ſtriking the Sum of* Thirty Thouſand Pounds *in* " *Bills of Credit*, &c. &c. requiring longer Conſideration than the preſent Sitting of the " Houſe will admit of, the Governor will return it, with his Anſwer, when the Houſe " meets on *Monday*."

Adjournment Then the Houſe adjourned to next *Second-day*, at Three o'Clock in the Afternoon.

September 20. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Speaker brought to the Houſe the Bill for the Relief of *Joſeph Yeates*, and informed the Houſe, that he had received the ſaid Bill from the Secretary, who ſaid that the Governor was ready to paſs the ſame into a Law, whenever it ſhould be preſented to him for that Purpoſe.

The Speaker likewiſe brought to the Houſe the Bill for granting *Thirty Thouſand Pounds* to the King's Uſe, and informed the Houſe, that he had received it from the Governor, who ſaid that he was ready to paſs the ſame into a Law whenever the Houſe ſhould preſent it to him for that Purpoſe, provided a Clauſe therein relating to the Fines and Forfeitures being paid into the Treaſury was firſt ſtruck out; which being agreed to by the Houſe, on Account of the preſent Exigency of Affairs, the ſaid Bill was ordered to be engroſſed, together with the Bill for the Relief of *Joſeph Yeates*.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 21. The Speaker laid before the Houſe a Copy of the Minutes of Council, relating to the *Suſquehanna Indians*, &c. which he informed the Houſe he had received from the Secretary for that Purpoſe; alſo a Letter from Lieutenant Colonel *Armſtrong*, giving an Account of his Expedition to *Kittanning*; which were read, and ordered to lie on the Table for the Peruſal of the Members.

The Bill for the Relief of *Joſeph Yeates* being engroſſed, was read and compared at the Table.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill for granting *Thirty Thouſand Pounds* to the King's Uſe, being engroſſed, was read, and compared at the Table.

Ordered, That *Nathaniel Pennock* and *John Morton* wait upon the Governor, and acquaint him, that the two Bills which he has agreed to paſs are engroſſed, and the Houſe deſire he would be pleaſed to appoint two of his Council to join two Members of this Houſe in comparing the ſame with the Originals.

The

The Gentlemen return, and report, that they had delivered the Meſſage of the Houſe according to Order, and that the Governor was pleaſed to ſay, that he would appoint two of his Council to meet ſuch Members of this Houſe as ſhould be appointed to compare the engroſſed Bills; and that he would be at the Council Chamber this Afternoon, in order to enact the ſaid Bills into Laws. 1756. *September* 21.

Ordered, That *Joſeph Fox* and *Thomas Leech* do meet the Members of Council appointed to compare the engroſſed Bills with their Originals.

The Gentlemen return, and report, that they had done the ſame, according to Order, and found them to agree.

A Meſſage from the Governor, by the Secretary:

SIR,

" The Governor requires the Attendance of the Houſe in the Council Chamber, in " order to enact the Bills agreed upon into Laws."

Ordered, That *Joſeph Fox* and *Thomas Leech* ſee the Great Seal affixed to the Laws, after they ſhall be paſſed, and the ſame depoſited in the Rolls Office.

Then the Speaker, with the whole Houſe, waited upon the Governor. — And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with two Bills, entituled, as follow, *viz.*

An Act for ſtriking the Sum of Thirty Thouſand Pounds *in Bills of Credit, and giving the ſame to the King's Uſe; and for providing a Fund to ſink the Bills ſo to be emitted, by laying an Exciſe upon Wine, Rum, Brandy, and other Spirits.* 30,000 £ Law enacted

An Act for the Relief of Joſeph Yeates, *a languiſhing Priſoner in the Goal of* Philadelphia *with Reſpect to the Impriſonment of his Perſon.* Law for Relief of *Joſeph Yeates* enacted

To which Bills the Governor was pleaſed to give his Aſſent, by enacting them into Laws.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to ſee the Great Seal affixed to the Laws paſſed Yeſterday, and the ſaid Laws depoſited in the Rolls Office, report, that the ſame was done, according to Order. *September* 22.

The Committee appointed to audit and ſettle the Public Accounts, made their Report in Writing, which was read, and ordered to lie on the Table for the Examination of the Members.

The Committee of Accounts reported on an Order drawn by *James Burd*, and others, on the Speaker, in Favour of *Moſes Starr* and *Henry Queekly*, Waggoners, for *Fifteen Pounds Five Shillings* and *Six-pence*, being for the Carriage of Blankets, Arms and Ammunition, granted by the Aſſembly for the Uſe of *Cumberland* County, that they were of Opinion the ſame ought to be paid by this Houſe. —— To which Report the Houſe agreed, and an Order was accordingly drawn on the Truſtees of the General Loan-Office, and ſigned by the Speaker, by Order of the Houſe, for Payment thereof to *William Weſt*, who is impowered to receive the ſame.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Truſtees of the *Province-Iſland* laid before the Houſe a State of their Accounts, whereby it appeared, that there was a Balance of *Ninety-nine Pounds Five Shillings* and *Six-pence* in their Hands, due to the Province, which they were directed to pay into the Provincial Treaſury, as the Law requires.

Reſolved, That the Wages of the Members of this Houſe, for the preſent Year, be paid by the reſpective County Treaſurers, in the Manner directed by Law.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment *September* 23.

Sundry Accounts for Public Services were laid before the Houſe and read, and referred to the Committee of Incidental Charges.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Committee appointed to conſider the Proprietary Inſtructions, relating to Money Bills, and report thereon to the Houſe, made a Report in Writing, which was read, and is as follows, *viz.*

In Obedience to the Order of the Houſe, we have conſidered the Proprietaries Eleventh, Twelfth and Twenty-firſt Inſtructions, relating to Money Bills, and now offer ſuch Remarks thereon as occur to us.

THE Preamble to the Eleventh Inſtruction ſets forth, " That the *Intereſt Money* " ariſing from the Loan of Bills of Credit in this Province, was intended by the " Proprietaries, and the Houſe of Repreſentatives, to be applied for the Public Service " of the Province, and of the Inhabitants thereof, and ſhould therefore, under the Di- " rection of the ſame Power that raiſes it, be moſt carefully applied to thoſe Purpoſes, " as a greater Security to the People againſt Miſapplications, than if it was intruſted only " to one Branch of the Legiſlature; and ſuch was the ancient Practice in their ſaid Pro- " vince." That the Intereſt Money was intended to be applied for the Public Service of the Province, and of the Inhabitants thereof, is undoubtedly right; but that it was *REPORT* on the Proprietaries Inſtructions relating to *Money Bills.*

1756. *September* 23. ever the "Practice," or that there was ever even a ſingle Inſtance of the Proprietaries or their Deputies having a Vote in the Application of the Intereſt Money, we muſt abſolutely deny. Their Conſent to the Diſpoſition is not required in any of our Loan Acts from the Beginning to this Day, the conſtant Tenor of thoſe Laws being, that the "Intereſt Money ſhall be diſpoſed of as the Aſſembly of this Province ſhall from Time "to Time order and direct." Their Conſent was never aſked, unleſs in the Acceptance of Preſents made them out of that Intereſt, which could not be forced on them without their Conſent; and that Kind of Application they have indeed been graciouſly pleaſed to conſent to from Time to Time, to the Amount of above *Thirty Thouſand Pounds* given to themſelves out of that Fund and the Exciſe. If this was a "Miſapplication," and we know of no other, the Power they contend for would not have prevented it; for 'tis ſcarce probable they ſhould ever diſapprove or refuſe to ſign Acts, Votes or Reſolves, which they thought ſo juſt and reaſonable.

And indeed, had theſe Preſents been always as regular as the Seaſons, and never intermitted, be the Conduct of the Governor ever ſo inconſiſtent with the Public Good, your Committee have Reaſon to believe, this new Inſtruction had never been formed or thought of. But ſince the Repreſentatives of the People have dared to ſignify their Diſapprobation of a Governor's Meaſures, by withholding thoſe Tokens of their Eſteem, Affection and Gratitude, which were conſtantly given when they found themſelves well governed; this Inſtruction is thought neceſſary to be inforced. Not "for the greater "Security of the People againſt Miſapplication;" for they never complained of any; but to *compel* your Continuance of thoſe Preſents; to *compel* an Addition to them, for they are thought too ſmall; and to *compel* the Payment of what they are pleaſed to call the *Arrears* of ſuch Preſents to any Governors from whom they have at any Time been withheld. For if the People's Money cannot be diſpoſed of for their own Benefit, without the Proprietary or his Deputy's Conſent, the Paſſage of the Bill, or the Approbation of the Reſolve, muſt be "*facilitated*," as the Proprietaries were pleaſed to tell us on a former Occaſion, "*by a Regard to their* INTEREST,"——that is, by putting at the ſame Time into their private Pockets whatever Share of the Public Money they ſhall be pleaſed to inſiſt on, under the ſpecious Name of *Salary* or *Support*; though by the Quit-rents, and even by their other Fees and Perquiſites, eſtabliſhed by Law or taken by Cuſtom, they have already a Support much more than ſufficient.

The Money ariſing by the Intereſt of the Bills of Credit, as well as that ariſing by the Exciſe, is paid wholly by the People. To diſpoſe of their own Money, by themſelves or their Repreſentatives, is, in our Opinion, a natural Right, inherent in every Man, or Body of Men, antecedent to all Laws. — The Proprietaries pay no Part of this Money, and therefore can have no Right to a Share in the Power of diſpoſing of it. —— They might as reaſonably claim a Right to a Negative in the Diſpoſition of every Man's private Fortune, and for the ſame Reaſons, to wit, "the Man's greater Security, and to prevent "Miſapplication;" nay, the Reaſons would be ſtronger, Bodies of Men not being generally ſo apt to miſapply their Money, as ſingle Prodigals.——The People have never complained that any ſuch Miſapplication has been made by their Repreſentatives: On the Contrary, they have ſhewn their Approbation of the Conduct of the Aſſembly in this tender Point, by long repeated annual Elections of the ſame Men to the ſame Truſt in the ſame Office. They have always ſeen their Money diſpoſed of, from Time to Time, for the Advantage and Honour of the Public, or for the King's immediate Service, and they had Reaſon to be contented with the Diſpoſition. —— The Public Credit has been conſtantly preſerved, and every Man who ſerved the Government, has been always duly and readily paid: But if this new-claimed Negative in the Proprietaries takes Place, the People will not have it in their Power to reward the Man that ſerves them, or even to pay the Hire of the Labourer that works for them, without the Governor's Leave firſt purchaſed; much leſs will they be allowed to ſupport an Agent in *England* to defend their Rights, or be able to pay the Expence of proſecuting their Complaints when oppreſſed.——And to prevent their doing this, is, we conceive, another *main View* of this Inſtruction.

In ſhort, it does not appear to your Committee that this extraordinary Inſtance of the Proprietary's Care of the People's Money, to prevent its being waſted by their own Repreſentatives, was for the People at all neceſſary. Thoſe Repreſentatives themſelves are a Part of the People, and muſt bear a Share of their Burdens. For their own Sakes, therefore, as well as to recommend themſelves to the Eſteem and Regard of their Conſtituents, it is highly probable they will execute that Truſt, as they always have done, with Juſtice, Prudence and Frugality; with Freedom to the King's Service, and grateful Generoſity to Governors that ſincerely ſeek their Welfare, and do not join with the Proprietaries to oppreſs them.——But this Inſtruction might perhaps be neceſſary to *extort* thoſe Grants to Governors which they have been pleaſed to ſtile *Salary*, and render That *certain*, which before depended on the *Good Will of the People:* For how elſe can the Proprietaries

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prietaries be sure of that Share of those Grants, which, *by their private Contracts sometimes made with their Governors, is* (if Report says true) *to be paid to themselves?*

The Proprietaries are however willing to permit the Renewal of the *Eighty Thousand Pounds*, which is now to sink in a few Years, and even to add *Forty Thousand Pounds* more, the Whole to be emitted on Loan, "*provided*, that the Eleventh Instruction be "complied with, and half the Power of applying the Interest reserved to them; and "*provided*, that all *Rents* and *Quitrents* due, or to be due or payable *to them*, be always "paid according to the Rate of Exchange at the Times of Payment between *Philadel-* "*phia* and *London*, or some other sufficient Provision enacted in Lieu thereof, as was "done by a former Act." —— Your Committee cannot help observing here, that the Proprietaries *Tenderness for their own Interest* appears in this Instruction much stronger than their Care for That of the People. Very great Emoluments arise to them by Emissions of Paper Money on Loan, and the Interest Money is a Tax they are clear of. They are therefore willing the Quantity should be encreased; but whatever Advantages they receive from it, they are resolved to suffer no Disadvantage from any occasional Depreciation: For they will always be paid their Rents and Quitrents, *according to the Rate of Exchange between* Philadelphia *and* London. By the original Agreements, those Rents and Quitrents were to be paid in *Sterling* Money (or the Value in Coin current) to the Proprietary Receivers *in the Province*. A Bill of Exchange, besides the *Sterling* Sum conveyed, includes all the Freight, Risk and Expence of conveying that Sum in Specie to *London*. Now we conceive the People are not, nor can in Justice or Reason be, obliged to transmit their Rents to *London*, and pay them there to the Proprietaries. If the Proprietaries should think fit to remove to *China*, they might as justly add to their Demand the Rate of Exchange between *London* and *Canton*: This therefore is EXTORTION, and ought never to be allowed in any future Act, nor any Equivalent made for it. For had that Equivalent been really given as a Matter of Justice, and not extorted as Purchase Money for the Law, it would have been extended to the Rents of private Landlords, as well as those of the Proprietaries. Besides, the great Sums to be yearly remitted to them in *London*, for which no Returns come back to the Country, naturally tend to raise the Exchange; and even put it in the Power of their Agents to raise it occasionally, just before the periodical Times of Payment (to the great Injury of the People) and to lower it again at their Pleasure; a dangerous Power this, if no Inconvenience can arise to themselves by the Rise of Exchange! The Depreciation of Money in every Country where it happens, is a common Calamity. The Proprietary Estate ought not to be exempt from it, at the Expence of all other Estates. There are many fixed Ground-Rents, and other Rents arising in the Province belonging to the People, and due to private Estates. These Rents have as much Right to be considered, and their Deficiency, in Case of Depreciation, provided for out of the Public Funds, as those of the Proprietaries. But of these they take no Care, so their own are secured. It appears however to your Committee, that all Rents in the Country ought to be on the same Footing, with regard to any Loss by the Depreciation of its Currency, since that is less likely ever to happen which it is the Interest of all to prevent.

Your Committee now come to the Twenty-first Instruction, by the Preamble of which it is insinuated, as if Acts for Provincial Taxes had been common in this Province, and that the Proprietary's Estate had been always exempted in such Acts; whereas the Truth is, that there never were but two or three, and those in the early Times of the Province, when the Proprietary's Circumstances were low, his Affairs encumbered, and the Quitrents so small, as to be insufficient for his Support, and therefore they were not only exempted from any Part of such Tax, but Duties and Licence Fees were granted to help them out.——For more than Forty Years, as the Excise and Interest Money have been sufficient for Support of Government, no Provincial Taxes have been levied (in this very Instruction, a little lower, they themselves acknowledge none have been raised in their Time) and the Proprietary Estate has vastly encreased: Those Licence Fees are also vastly encreased, and yet they still receive them. But that their Estate should now be exempt from Provincial Taxes, raised for the Defence of that very Estate, appears to us extremely unreasonable. During the Distress of the Family, there was likewise a voluntary Subscription among the People to pay the Proprietary's Passage to *England:* They may from thence as justly claim a Right of having their Expences borne by the Public whenever they cross the Seas.—— But when those Aids were granted to the old Proprietary, he had a much better Claim to them than his Sons; for he undertook to act as an Agent and Advocate for his People, in *England*; to defend and secure their Rights and Privileges; not, like his Successors, to abolish and destroy them *.

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* This he faithfully executed in many Instances, and particularly in his Answer to the Lords of Trade's Objections to the Act of Privileges to a Freeman, in the Year 1705; in which he informed their Lordships, that the Act was agreeable to the great Charter which all *Englishmen* were entitled to; —— and that "we went not so far (*i. e.* "from *England* to *America*) to lose a Tittle of it."

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The Inſtruction farther ſays, that "ſince the Expiration of thoſe former Laws, no "Aid hath ever been granted by the Aſſembly to them as Proprietaries." As Proprietaries, what Right have they to Aids? Are they not hereditary Governors of the Province? and while they have indulged themſelves with an almoſt conſtant Reſidence in *England*, remote from their Country, and greatly to its Inconvenience and Prejudice, have not the Aſſemblies conſtantly ſupported their Deputy, ſent by the Proprietaries to do what they ought themſelves to have done in Perſon; though he was often an imperfect Deputy, reſtrained in thoſe Powers which ſhould always ſubſiſt and be preſent in every Government for the common Welfare? But they are pleaſed to ſay, "they have volun- "tarily and chearfully expended ſeveral conſiderable Sums of their own Money for the "Advancement of the Province." This they ſaid likewiſe to a former Aſſembly, and the Anſwer was, "We are *unacquainted* with theſe Expences; let the Accounts be laid "before us, and whatever Expence appears to have been made for the Service of the Pro- "vince ſhall be allowed, and repaid with Thanks." —— Thoſe Accounts have never yet appeared; and till they do, we think they ought not to be made the Foundation of any Claim whatever.

They ſay farther, "that they had no Reaſon to ſuſpect that the Aſſembly would de- "viate ſo much from the former Uſage, as to pretend, *by any Act of theirs*, to charge "the Proprietary Eſtate in the Province with the Burden of any Taxes." Amazing! If the Aſſembly deviated from the former Uſage, by taxing their own Eſtates, and thoſe of their Conſtituents (their uſual Funds failing) why ſhould they not deviate in the ſame Manner in taxing the Proprietary Eſtate? And what are the particular Merits of this Family, that when the whole *Britiſh* Nation, when every Eſtate in the Kingdom, as well as in this Province, is taxed, towards the Recovery and Defence of their Eſtate in *Pennſylvania*, that very Eſtate alone ſhould be exempted, and they ſo confident of its Right to an Exemption, as to *have no Reaſon to ſuſpect* the Aſſembly would attempt to tax it?

But it ſeems "the Aſſembly have repreſented them in an untrue Light, as if unwil- "ling to aſſiſt the Public, by contributing towards the Defence of the Country, though "no Application had ever once been made to them for that Purpoſe." How far they are placed in an *untrue* Light on this Account, will, we preſume, appear before we finiſh this Report. It appears too, by a Report of a former Committee.—They likewiſe ſay, "no Application was ever once made to them for their Aſſiſtance towards the De- "fence of the Country." Heretofore it was thought the Country was beſt defended by maintaining Peace and a good Underſtanding with the *Indians*. This was done from Year to Year by expenſive and repeated Preſents. The Proprietary reaped great Advantages from this good Underſtanding and theſe Preſents, in his Bargains with the *Indians* for Lands. The Expences grew yearly more and more heavy, and repeated humble Applications were made to the Proprietaries, that they would be pleaſed *to bear a Part*, but without Succeſs. They vouchſafed indeed an Anſwer to the laſt Application, but it was to reject it with the utmoſt Pride and Scorn, claiming *an inherent Right of Exemption* of their Eſtate *from all public Charges whatſoever*, in Virtue of their being Governors as well as Proprietaries. And the *Sixty Thouſand Pound* Bill is called an Attempt of the Aſſembly by "*an Act of theirs*," to charge the Proprietary Eſtate, as if they had preſumed to do it alone by their own Authority. The Aſſembly could not poſſibly think of taxing the Proprietary Eſtate, without the Conſent of the Proprietaries by their Deputy; the Bill was therefore another humble Application to the Proprietaries for their Conſent to a Thing ſo reaſonable; and the very Stile of it was, "*we pray* that it may be enacted." But that Prayer could not be granted, though the Province was on the Brink of Ruin. And yet, it ſeems the Proprietaries were not "unwilling;" though their Deputy declared they had expreſsly *reſtrained* him even by the Words of his Commiſſion! — The Bill however is ſtigmatized with the Character of "*moſt unjuſt* and *extraordinary*." Thus it is, when Men judge in their own Caſes. Theſe Gentlemen think it *unjuſt* to tax their Eſtates, though all the World thinks otherwiſe. As Provincial Taxes had not been uſual, it might be *ſo far* extraordinary; but the Mode of Taxation was by no Means extraordinary, being the ſame with that of raiſing our County Rates and Levies, long uſed and approved by the Province. —— And the Taxing of Proprietary Lands is uſed both in *New-Jerſey* and *Maryland*; and located unimproved Lands have formerly been taxed in this Province. Had ſuch been taxed every where from the firſt Settlement of *America*, we conceive it would have tended to the Encreaſe of the Inhabitants, and the greater Strength of the Colonies; for then ſuch immenſe Quantities of Land would not have been monopolized and lain dormant, but People would more eaſily have obtained Settlements, and been ſeated cloſer together.

But the Proprietaries would have it underſtood, that it is not for their own Sake only, that they object to the *Fifty Thouſand Pound* Bill which was refuſed, or the *Sixty Thouſand Pound* Act that paſſed. They are tenderly concerned for the Eſtates of others. No Part of the Lands of a Delinquent, who refuſes or neglects to pay his Tax, ought, in their

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their Opinion, to be sold for Payment; though Lands in *America* are by Act of Parliament made liable to be sold for Discharge of Debts, and were almost always so here by the Laws of this Province. If Lands, or Parts of Land, may be sold to satisfy *private*, why not *public* Debts? And though it be unusual in *England*, it has long been the Practice, as we are informed, in several of the Colonies, particularly in *New-England*. But they say, "a Tax of *One Shilling* in the *Pound* on the whole Value, is what never was "laid, nor can possibly be paid, in any Country." Strange! May not a Country in imminent Danger give a Twentieth Part of their Estates to save the other Nineteen? Is it impossible even to give a Half, or three Fourths, to save the other Half or Quarter? May they not even give Nineteen Parts to save the Twentieth? The Proprietary's Gift of *Five Thousand Pounds*, they afterwards say, is twenty times more than their Tax, if fairly and equally assessed, could by that Bill have amounted to. If so, it is possible to give the whole twenty Parts. — But it has always been understood, that Estates are not to be taxed to the full Value they might singly sell for. In the same Bill it was provided, that located unimproved Lands should not be valued in the Rates at more than *Fifteen Pounds per* Hundred Acres; when 'tis well known, that the Proprietary's lowest Price for wild Land on the Frontiers is *Fifteen Pounds Ten Shillings per* Hundred; and that the located unimproved Lands in their Manors, are, some of them, valued at *Three* or *Four Hundred Pounds per* Hundred; they may therefore well say, that "if that Tax had been "FULLY assessed, it must have amounted to many times the Sum;" but then their next Assertion is somewhat inconsistent, *viz.* That the Bill laying this Tax was "most un- "justly calculated for the Purpose of putting it in the Power of the Assessors to tax the "Proprietary Estates *up to the full Value*, and to ease other Persons, by taxing them so "lightly as only to make up *the Residue* of the *Fifty Thousand Pounds*, *in which Case*, "much the *greatest Part* of the Burden might have been laid on the Proprietary Estates "alone." —— The Value of the Proprietary Estate has long, for prudential Reasons, been kept a profound Secret; and the Proprietaries have lately given *Five Thousand Pounds* rather than submit it to the Enquiry of the Assessors. But your Committee conceive some Light may be obtained on that Head, from this Part of the Instruction compared with the *Fifty Thousand Pound* Bill. By that Bill their wild unsurveyed, or unlocated Lands, which are many Millions of Acres, were not to be taxed at all, though they never sell any of them for less than *Fifteen Pounds Ten Shillings per* Hundred Acres.—— Their taxable Estate consists chiefly in located (though uncultivated) Tracts and Manors, and in the reserved Quitrents arising from the Lands they have sold. These Manors and Tracts are generally choice, being of the best Lands, picked out of every new Purchase from the *Indians*, by their Surveyors, before the Office is opened, and laid by for a Market, not to be disposed of till all the surrounding Lands are sold and settled. This has encreased their Value prodigiously, so that they are now, one with another, valued at more than *Three Hundred Pounds per* Hundred: Yet by the Bill, they were not to be taxed as worth more than *Fifteen Pounds per* Hundred.——And they own, that by the same Bill, "their *Quitrents* were to be taxed in the *same Manner* as *other Estates*," consequently as great an Abatement to be made in the Valuation. And yet by this same Bill, under this very moderate Valuation of their Estate, they say it would have been in the Power of the Assessors to have laid *much the greatest Part* of the Burden on their Estates *alone*. Now, *much the greatest Part* of *Fifty Thousand Pounds* may be *Forty Thousand Pounds*, but we will say (for Moderation's Sake) it is only *Thirty Thousand Pounds*, and that Sum might have been raised by that Bill, on the Proprietary Estates, in two Years, by a Tax of *One Shilling* in the *Pound*, i. e. *Fifteen Thousand Pounds per Annum*. The Shillings in Fifteen Thousand Pounds are Three Hundred Thousand, consequently their Estates at that low Valuation are worth *Three Hundred Thousand Pounds*. But if you multiply that Valuation by 20, to bring it nearer the Truth, those Estates must amount to *Six Millions*, exclusive of their wild Lands as aforesaid. If this Computation be too high, they may be able hereafter to shew its Mistakes. At present, we conceive the Consequences fairly drawn from Facts and their own Premises.——And yet this their enormous Estate is, by their Instructions, to be exempted, while all their Fellow-Subjects groan under the Weight of Taxes for its Defence! it being the first attacked in the present War, and Part of it on the *Ohio*, the Prize contended for by the Enemy. —— For though they, towards the End of this Instruction, pretend to be "most ready and "willing to bear a just Proportion along with their Tenants in any necessary Tax for "the Defence of the Province," yet this appears clearly to be a *mere Pretence*, since they absolutely except their Quitrents, and their located unimproved Lands, their Fines, and the Purchase-Monies they have at Interest; that is, in a Manner, their *whole Estate*, as your Committee know of little they have left to be taxed, but a Ferry-house or two, a Kitchen, and a Dog Kennel.

But unimproved Lands should not, in our Proprietaries Opinion, pay any Taxes, because "they yield no annual Profit." This may deceive People in *England* (where the Value of Land is much at a Stay) as they are unacquainted with the Nature of Landed

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Eſtates in growing Plantations. Here new Lands, without Cultivation, without Fencing, or ſo much as cutting down a Tree, being reſerved and laid by for a Market till the ſurrounding Lands are ſettled, improve much more in yearly Value even than Money at Intereſt upon Intereſt. —— Thirty Years ago, the beſt and richeſt Lands near the Proprietary's *Coneſtogoe* Manor, were worth and ſold for about *Forty Pounds per* Hundred Acres.——That Manor was then laid out and reſerved, containing near Seventeen Thouſand Acres: And now the Lands of that very Manor, which, though ſo long located, have never yet been cultivated, will ſell for *Three Hundred* and *Fifty Pounds per* Hundred Acres; which is near *Nine* for *One*, or *Eight Hundred per Cent*, Advance! Can an Eſtate thus producing *Twenty-five per Cent per Annum* on the prime Coſt, be, with any Propriety, called "*an Eſtate yielding no annual Profit?*" Is it not a well known Practice in the Colonies, to lay out great Sums of ready Money for Lands, without the leaſt Intent of Cultivation, but merely to ſell them again hereafter? Would People follow this Practice if they could not make more Profit of their Money in that Way than by employing it in Improvement of Land, in Trade, or in putting it to Intereſt, though Intereſt in the Plantations is from *Six* to *Ten per Centum?* Does not ſuch Land, though otherwiſe *unimproved*, improve continually in its Value? How mean and unjuſt is it then, in theſe Gentlemen, to attempt to conceal the Advantages of this Kind of Eſtate, and ſcreen it from Taxes, by lurking under the *ambiguous* and *deceitful* Terms, of *unimproved* Lands, and *Lands yielding no annual Profit?*

Meanly unjuſt indeed, in this Inſtance, do they appear to your Committee; who cannot but obſerve, that the Proprietaries, knowing their own Inclinations to ſcreen their own Eſtates, and load thoſe of the People, from thence ſuſpected the People might be equally unjuſt, and intend, by the *Fifty Thouſand Pound* Bill, to eaſe *their* Eſtates, and load thoſe of the Proprietaries. "The Bill, ſay they, appears to us to be *moſt unjuſtly* "*calculated*, for the Purpoſe of putting it in the Power of Perſons, wholly choſen by "the People, to tax our Eſtates up to the full Value therein mentioned, and to eaſe "other Perſons by taxing them ſo lightly, as only to make up the Reſidue that might "be wanted to complete the *Fifty Thouſand Pounds*. In which Caſe the Perſons choſen "by the People might have laid *by much the greateſt Part* of the Burden upon our Eſtates "alone." —— Had they intended to raiſe *much the greateſt Part* of the Tax of *Fifty Thouſand Pounds* on the Proprietaries Eſtate, would the Houſe ſo readily have accepted of *Five Thouſand Pounds* in Lieu of their Share of that Tax?——But why this Suſpicion of the Aſſembly? What Inſtance of Injuſtice can the Proprietaries charge them with, that could give Ground for ſuch a Suppoſition? If they were capable of ſuch an Intention, and an Endeavour to get *Iniquity eſtabliſhed by a Law*, muſt they not be the moſt unjuſt and diſhoneſt of Men? The Aſſeſſors, it is true, are choſen by the People; they always were ſo by our Laws; and let a Man's Eſtate be ever ſo great, he has but one Vote in the Choice of them: But have the Proprietaries no Friends in their Province? What is become of all their Dependants and Expectants; thoſe in Place, or hoping for Places; the Thouſands in their Debt; the Mortgagors at their Mercy? Will none of theſe, out of Love, or Hope, or Fear, vote for honeſt Aſſeſſors, that may take Care the Proprietary is not oppreſſed by the Weight of an unjuſt Tax? — Could the Aſſembly be certain, that the whole People were ſo wicked, as to join in chuſing and truſting Sets of diſhoneſt Aſſeſſors, merely to wrong the Proprietary? Are there no Laws in the Province againſt Perjury? Are not the Aſſeſſors by Law to be ſworn or affirmed to aſſeſs themſelves and all others impartially; and have they not always been choſen as Men of Note for Probity and Juſtice? What a dark Proſpect muſt a Man's own Heart afford him, when he can *from thence* form ſuch Ideas of the Hearts of a whole People! A People famous throughout the World, for the Juſtice and Equity of their Laws, the Purity of their Manners, their Humanity and Hoſpitality to Strangers, their Affection to their late honoured Proprietary, their Faithfulneſs in their Manufactures and Produce, and Uprightneſs in all their Dealings! and to whoſe Virtue and Induſtry theſe very Gentlemen owe all their preſent Greatneſs!

The Proprietaries are pleaſed farther to ſay, "That the laying Taxes on the real Value "of the Fee-ſimple, and the Sale of Land for the Payment of Taxes, are contrary to "the Laws and Statutes of *Great-Britain*." Your Committee cannot find that any Laws or Statutes were ever made in *Great-Britain* to regulate the Mode of laying Taxes in the Plantations; and if there are none ſuch, our Bill could not be *contrary to* what never exiſted. In *Virginia* the Taxes are laid on Slaves, and paid in Tobacco; and every Colony has its own Mode of Taxation, ſuited to its own Circumſtances, almoſt all different from each other as well as from that uſed in *England*. But *different from*, and *contrary to*, we conceive to be diſtinct and different Things; otherwiſe many of our Laws, even thoſe which have been approved at Home, and received the Royal Aſſent, are *contrary to* the Laws of *England*.——But as we ſaid before, the Laws of *England* themſelves make Lands liable to pay Debts in the Colonies, and therefore to ſell them, or a Part

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of them, to pay public Debts, is not contrary to, but conformable with, the Laws of *England*. 1756. *September* 23.

But the Proprietaries "cannot find that the Quitrents reserved to the Crown —— in "any of the other *American* Colonies, have ever been taxed towards the raising any Sup- "plies granted in those Colonies; and indeed those Quitrents are generally *so small* "(meaning the King's Quitrents, we suppose, for their own surely are *large enough*) "that little or no Land Tax would be due or payable on them, if arising in *Great-Bri-* "*tain*, &c."——If your Committee are rightly informed, the King's Quitrents in the other Colonies, are applied to *public* Purposes, generally for the Service of the Colony that raises them. When our Proprietaries shall think fit to apply those arising here in the *same Manner*, we believe no Assembly will attempt to tax them. The Smallness of the Parts, we cannot conceive to be a good Reason for not taxing the Whole. Where every Man worth less than *Twenty Shillings* a Year is exempt from Taxes, he who enjoys a *Thousand* a Year might, as well as our Proprietaries, plead to be excused, for that his Income is only *Twenty Thousand Shillings*, each of which Shillings is far within the Sum exempted by Law.——In the Whole, though what arises from each Estate be no great Sum, their Quitrents must amount to a very great Revenue; and their speaking of them in the diminutive Terms of *very small Quitrents or Acknowledgments*, is only to amuse and deceive. They are Property; and Property should pay for its own Preservation. They ought therefore to be taxed to the Defence of the Country. —— The Proprietaries indeed say, a Land Tax was unnecessary, as there are *many other Ways of raising Money*. They would doubtless chuse any Way in which their Estate could not be included.——But what are those *many other Ways?* —— *Britain*, an independent State, can lay infinite Duties, on all foreign Wares, and imported Luxuries. We are suffered little foreign Trade, and almost all our Superfluities are sent us from *Britain* itself. Will she permit us to discourage their Importation by heavy Imposts? or to raise Funds by taxing her Manufactures? A Variety of Excises and Duties serve only to multiply Offices and Officers, and to make a Part of the People pay for another Part who do not chuse to pay. No Excise or Duty was ever a fair and equal Tax on Property. — The fairest, as the Proprietaries themselves have acknowledged, is a Poundage on all real and personal Estate, according to its Value.

We are now to hear of the Generosity of the Proprietaries, who, as they say, "were "so far from desiring not to contribute to the Defence and Support of his Majesty's "Rights and Dominions, that *immediately* on the first Notice of the Defeat of General "*Braddock*, they had sent over an Order upon their Receiver General, to pay *Five Thou-* "*sand Pounds* as a free Gift towards the Defence of the said Province." —— We may presume to ask, why, when they knew the Assemblies were continually worried to give Money, and the Bills in which it was offered as constantly rejected; why did they not unmanacle their Governor, and at the same Time set an Example of Zeal for the common Cause by a generous Gift on their Part, before they heard of that Defeat? Why not as soon as they knew he was sent to *America?* Why not on *Washington's* Defeat, or before his first Expedition, as soon as ever their Province was attacked, and they learnt that the Enemy had built a Fort in it?——But the Truth is, the Order was sent, *not immediately* on the News of *Braddock's* Defeat; the Date of the Order will shew that it was a Month after that News arrived in *England*. But it was *immediately* after they had Advice, that the Governor had refused a Grant of *Fifty Thousand Pounds* to the Crown for the Defence of the Proprietaries Province, because their Estate was taxed in the Bill, alledging Restrictions from them on that Head; against which all the World exclaimed, and an universal Odium was falling on their Heads, and the King's Wrath justly dreaded; then it was, that the boasted Order issued. And yet, as soon as their Fears subsided, it was sincerely repented, and every underhand Step taken to get the Act, in which their Gift was fixed, disapproved at Home; though, if they had succeeded, when the Bills emitted were abroad, and in the Hands of the Public, many of the poor Soldiers, who had received them in Pay for their Services, would have been ruined, and Multitudes of others greatly injured.——And after all, this *Free Gift*, to be *immediately* paid, is *not yet* paid, though more than a Year is elapsed since the Order was given; —— and Contracts, entered into by the Commissioners in Confidence of receiving that Money, are yet unsatisfied, to the Loss and Disappointment of many, and great Detriment to the Service.

However, if we will have a Land Tax, they are pleased to form a Bill for us, or at least to direct what Clauses shall be in, and what shall not be in it, thus violating the most essential Right of the Commons in a *British* Constitution! —— and with this particular Injunction, that the Tax shall be laid for no more than one Year; and shall not exceed *Four Shillings* in the *Pound* on the Income; which, estimating Estates at twenty Years Purchase, is about a Fifth of a Twentieth, or, in plainer Words, a hundredth Part of the Value. Perhaps this may be well enough in Times of Tranquility; but when a Province is invaded, must it be given up to the Enemy, if a Tax of the hundredth

Penny

1756. *September* 23. Penny is not ſufficient to ſave it? —— Yes, that is our preſent Situation; for the Proprietaries Inſtructions are, it ſeems, unalterable.——Their Governor is bound to obſerve and inforce them, and muſt ſee the King's Province periſh before his Eyes, rather than deviate from them a ſingle Tittle. This we have experienced within a few Days, when Advantage being cruelly taken of our preſent unhappy Situation, the proſtrate Condition of our bleeding Country, the Knife of the Savages at her Throat, our Soldiers ready to mutiny for Want of Pay and Neceſſaries, our People flying in Deſpair from the Frontier for want of Protection, the Aſſembly was compelled (like *Solomon's* true Mother) to wave her Right, to alter our Money-Bills, abridge our free Grant to the Crown by one Half, and, in ſhort, to receive and enact a Law not agreeable to our Judgments, but ſuch as was made for us by the Proprietary Inſtructions, and the Will and Pleaſure of the Governor's Council; whereby our Conſtitution and the Liberties of our Country are wounded in the moſt eſſential Part, and even violated and deſtroyed. —— We have Reaſon to confide, however, in the Juſtice of our Sovereign and a *Britiſh* Parliament, that this Tyranny ſhall not long ſubſiſt; and we hope no Time will be loſt in making the proper Application.

In fine, we muſt ſay, in Juſtice to the Houſe, that the Proprietary's Charge againſt the Aſſembly, as "being inclined by their Authority to tax the Proprietary Eſtate diſpro-"portionately, *&c.*" is, to our Knowledge, groundleſs and unjuſt. They had as little *Inclination* as *Authority* to *wrong* him. They have not, it ſeems, *Authority* enough to oblige him to do *Juſtice*. As to their *Inclination*, they bear, every one of them, and maintain, the Character of HONEST MEN. When the Proprietaries ſhall be *truly* willing to bear an equitable Part of the Public Burden; when they ſhall renounce their exorbitant Demand of *Rent as the Exchange ſhall then be*; make Reſtitution of the Money which they have exacted from the Aſſemblies of this Province, and ſincerely repent of their Extortion, they may then, *and not till then*, have ſome Claim to the ſame NOBLE TITLE.

Submitted by the Committee to the Correction of the Houſe.

The Speaker laid before the Houſe Extracts of two Letters from Commodore *Spry*, at *Halifax*, to *Michael Lovell*, a Gentleman in this City, mentioning the Arrival of the Seamen ſent by this Province for his Majeſty's Fleet on that Station, which were read, and are as follow, *viz.*

Auguſt 5, 1756.

Extracts from Commodore *Spry's* Letters. "'Tis impoſſible to conceive how much I am obliged to the Gentlemen of *Penn-*"*ſylvania* for their ready Concurrence in ſupplying his Majeſty's Ships in *North-America*" with ſuch a Number of Seamen, at their Government's Expence; and I muſt entreat" you to make my moſt grateful Acknowledgments to your Speaker, and the reſt of the" Gentlemen concerned in it."

Auguſt 7, 1756.

"I have joined Mr. *Holmes*, and we are now under Sail, with a fair Wind, for *Louiſ-*"*bourg*. Laſt Night a Ship luckily arrived with Twenty-nine Seamen more from the" People of your good Province: God bleſs them! I ſhall ever gratefully remember" and acknowledge it. I have the Seamen all on board my own Ship, except four that" are ſick at the Hoſpital."

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 24. Orders were drawn on the Truſtees of the Loan-Office, by Order of the Houſe, for the Payment of *Joſeph Morris's* and *William Fiſher's* Accounts, for Cloathing for the *New-England* Troops, and for the Sums paid by the Speaker, and *Benjamin Franklin*, for the ſaid Cloathing, as *per* Account laid before the Houſe on the Third of *December* laſt, and entered on the Minutes of that Day.

Ordered, That *Joſeph Armſtrong's* Wages, as a Member of this Houſe for the preſent Year for the County of *Cumberland*, be paid by the Truſtees of the General Loan-Office, in Conſideration of the preſent Circumſtances of the ſaid Member, and County.

The Report of the Committee upon the Proprietary Inſtructions relating to Money-Bills, being again read, and conſidered, was unanimouſly approved of, and agreed to by the Houſe.——And it was

Reſolved, N. C. D. That it is the Opinion of this Houſe, that it is highly neceſſary a Remonſtrance be drawn up, and ſent Home to *England*, ſetting forth the true State of *Pennſylvania*, and repreſenting the pernicious Conſequences to the *Britiſh* Intereſt, and to the Inhabitants of this Province, if we are, contrary to our Charters and Laws, to be governed by Proprietary Inſtructions.——And as this Houſe have not ſufficient Time to go through a Matter of ſuch Importance, it is therefore earneſtly recommended to the next ſucceeding Aſſembly.

The

1756. *September* 24.

The Report of the Committee of Accounts was approved of, and allowed by the Houſe, and is as follows, *viz.*

We the COMMITTEE *appointed by the Aſſembly for the Province of* Pennſylvania *to audit and ſettle the Accounts of the* GENERAL LOAN-OFFICE, *and other Public Accounts, to ſink and deſtroy the Bills of Credit received in Exchange purſuant to the ſeveral Paper Money Acts, and to count all the Money, and report what Sum we ſhould actually find in the Truſtees Hands, REPORT,*

THAT on the Twenty-ſeventh Day of Auguſt, we counted the Money in the Hands of the Truſtees of the Loan-Office, and found the Sum of £ 3,094 2 3
* And in Provincial Notes, which we the Committee have burnt, Principal, £ 3,490 0 0
on which Intereſt, 184 11 0
3,674 11 0

Report of the Committee appointed to ſettle the Accounts of the General Loan-Office.

THAT upon a ſtrict Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Aſſembly for emitting Bills, and now remaining in the Loan-Office undiſcharged,

We find there are principal Sums, or Quotas thereon to become due (after the 18th Day of Auguſt) and payable to the Truſtees, the Sum of £ 45,732 15 0
That the Quotas outſtanding, and at that Time due on all the Mortgage Deeds in the ſaid Office, amounted to 20,837 11 8
£ 66,570 6 8

That it appears by a Liſt of 42 Mortgages, taken on the 9th Re-emiſſion of the ſecond £ 80,000 Act, that the Truſtees have lent out thereon, the Sum of £ 2,598 15 0
That by a Liſt of 7 Mortgages, taken on the 10th Re-emiſſion of the ſame Act, they have lent out thereon, the Sum of 429 0 0
£ 3,027 15 0

£ 69,598 1 8
That the Amount of the principal Sums or Quotas, to balance, is 10,401 18 4
£ 80,000 0 0

THAT the Truſtees, on Account of Intereſt ariſing from all the Mortgages, lent out in Purſuance of the ſeveral Acts of Aſſembly, are charged with the Balance due to the Province at the Settlement laſt Year, £ 1,195 18 8
And with the Intereſt outſtanding on all the Mortgage Deeds at laſt Settlement, 8,625 5 9
£ 9,821 4 5

To the Intereſt ariſing on all the Mortgages for the current Year, £ 2,754 14 10½
To broken Intereſt received ſince laſt Settlement, 1,480 3 8
To Intereſt received at Diſcharge of ſeveral Mortgages, 36 0 0
£ 4,270 18 6½
£ 14,092 2 11
Balance, 3,497 8 11
£ 17,589 11 10

* To an additional Sum of £ 3,674 11 0 to be added to the above Balance, which makes the whole Balance on the Intereſt Account, £ 7,171 19 11.

That the Truſtees have Credit for the Intereſt outſtanding and due to the Province on the 18th Day of Auguſt, which upon a careful Examination of the Indorſements upon all the Mortgages, appears to amount to £ 8,905 10 6
Alſo for ſundry Sums paid by them for Account of the Province, viz.
By Caſh paid Sundries for Aſſemblymens Wages, 1,203 6 6
By Ditto paid ſundry Perſons, for cutting a Road towards Ohio, 2,649 7 2
By Ditto paid Benjamin Franklin, for his Advance to Enoch Williams and John Moore, 18 15 0
By Ditto paid Townſend White, for Colden and Kelly's Draught on B. F. 709 19 0
By Ditto paid George Aſhbridge, what he advanced to Joſeph Armſtrong, viz. One Hundred Pounds Principal, and Two Pounds Seventeen Shillings and Six-pence Intereſt thereon, 102 17 6
By Ditto paid Samuel Neave, for Goods furniſhed the Indians, 114 2 10
By Ditto paid John Guy, for hauling Sand, 0 6 0
By Ditto paid Joſeph Fox, what he advanced for ſundry Captains Expences, 4 6 9
By Ditto paid Iſaac Norris (Speaker) for the Agents Salaries, £200 Sterling, at 72½ p. Cent. 345 0 0
By Ditto paid James Pemberton, for the Agents Draughts on the Houſe, £ 300 Sterling at 72½ per Cent, 517 10 0
By Ditto paid John Harris, his Account for Indian Expences, 10 9 2
By Ditto paid Samuel Kirke, and others, for Wood, 27 13 10
By Ditto paid George Croghan, the Amount of two Errors in a former Account, 124 15 0
By Ditto paid Sundries for Andrew Montour, his Wife and Children, 74 12 11
By Ditto paid Jonathan Carmalt, for Sundries for Indian Moſes, 3 2 6
By Ditto paid George Hitner and Thomas Webſter, for Sundries for Jonathan and Philip Almity, 17 11 8
By Ditto paid Hugh Roberts, for the Signers of the £ 10,000, 160 13 9
By Ditto paid Samuel Gwyn 3 l. Sarah Morrow 3 l. James Ferguſon 3 l. and Matthias Ganford 3 l. for their diſtreſſed Circumſtances, 12 0 0
By the Truſtees Salary, 500 0 0
By Caſh paid Evan Morgan, to ſupply the Back Inhabitants with Neceſſaries, 290 1 0
By Ditto paid J. Blackwood, A. Weaver and W. Henry, for Maintenance of Soldiers Wives, 66 15 0
By Ditto paid John Harris, for Maintenance of Indians, 40 0 0
By Ditto paid Charles Brockden, 66 12 0
By Ditto paid William Denyce, for Guns and Powder, 258 0 0
Carried forward £ 16,223 8 1

1756.

		Debit brought over		£ 17,589 11 10
		Credit brought over £	16,223 8 1	
September 24.	By Ditto paid Conrad Weiſer, for Indians,		50 0 0	
	By Ditto paid Thomas Leech for the State-houſe,		731 0 0	
	By Ditto paid James Wright, for Proviſions for General Braddock,		50 0 0	
	By Ditto paid Richard Hockley, for the Proprietaries,		130 0 0	
	By Ditto paid William Griffitts, what he paid Capt. E. Joſiah, for Diſpatches,		8 0 0	
	By Ditto paid Joſeph Fox, for Indian Treaty at Eaſton,		300 0 0	
	By Ditto paid for a Silk Map, and for Boxes to incloſe Papers ſent to the Agents,		1 6 6	
	By Allowance of 55 ſ. per Thouſand Pound, on £ 1,151 17 6 ſunk, of torn and ragged Bills,		3 3 3	
	By Ditto of 60 ſ. per Thouſand Pound, on £ 4,571 16 6 ſunk of Ditto,		13 14 6	
		£	17,510 12 4	
	By Caſh paid Sundries, for one Year's Intereſt on ſundry Provincial Notes, amounting to £ 1,455 0 0 Principal, at Five per Cent,		72 15 0	
	By a Loſs on John David's and Daniel Wright's Mortgages,		6 4 6	
	By Caſh paid for Provincial Notes, which we the Committee have burnt;	Principal, £	3,490 0 0	£ 17,589 11 10
		Intereſt,	184 11 0	3,674 11 0

WE do likewiſe report, that we have examined the Provincial Treaſurer's Account, and find,

That he Credits the Province with the Balance due at laſt Settlement,	£	280 11 4	
And by Caſh received of Joſeph Redman, Collector of Exciſe for the City and County of Philadelphia,		1,745 9 8	
By Ditto of John Woolſton, Collector for Bucks,		200 0 0	
By Ditto of David M'Connaughy, Collector for York,		41 14 0	
By Ditto of Arthur Patterſon, Collector for Lancaſter,		101 0 9	
By Ditto of James Lindſay, Collector for Cumberland,		30 13 0	
By Ditto of Daniel Craig, Collector for Northampton,		36 3 0	
By Ditto of Jeremiah Starr, Collector for Cheſter,		297 10 9	
By Ditto of Joſeph Fox, as Truſtee of the Province Iſland,		97 1 0	
By Ditto of John Baſſonet, Surety for John Hall,		10 0 0	
			£ 2,840 3 6
That he Charges the Province with ſundry Sums paid in Purſuance of the Votes or Orders of the Houſe, viz.			
To Caſh paid Conrad Weiſer, per Order of Aſſembly,	£	59 3 7	
To Ditto paid William Baker, for Bread for Indians,		11 16 0	
To Ditto paid William Buchanan, Horſe-hire for Expreſs,		1 12 6	
To Ditto paid Joſeph Fox, for immediate Service to the Houſe,		8 2 0	
To Ditto paid John Elder, for three Hogs taken by the Indians,		3 0 0	
To Ditto paid John Smith, to pay Indian Expences,		29 6 11	
To Ditto paid William Franklin, for Service to the Houſe,		35 14 0	
To Ditto paid George Honey, for Indian Expences,		10 4 5	
To Ditto paid Thomas Jarvis, for Ditto,		50 11 3	
To Ditto paid Charles Brockden, for recording Laws,		4 16 5	
To Ditto paid John Harris, for his Trouble, and Indian Expences,		77 7 8	
To Ditto paid Samuel Kirke, for Services to the Houſe,		8 0 0	
To Ditto paid Edward Kelly, for cleaning the Houſe, &c.		2 11 0	
To Ditto paid Thomas Walker, for Meat for the Indians,		43 19 3	
To Ditto paid Richard Hockley, for affixing the Great Seal,		6 3 0	
To Ditto paid Richard Peters's Account, exhibited to September 30, 1755,		12 12 6	
To Ditto paid Ditto, his Salary as Clerk to the Council,		15 0 0	
To Ditto paid Ditto for Adam Terence, for Indians, &c.		7 16 0	
To Ditto paid Edmund Nihel, for Beer for the Indians,		2 0 0	
To Ditto paid William Callender, for immediate Service,		8 2 0	
To Ditto paid Charles Stow, for ſummoning Councils,		5 12 6	
To Dito paid Hannah Boyd, for Indian Expences,		10 5 1	
To Ditto paid William Davis, for a Litter for a lame Indian,		0 8 6	
To Caſh paid Michael Teaff, for dieting of Indians,		25 10 0	
To Ditto paid Adam Terence, for his Trouble with Indians,		4 7 4	
To Ditto paid Chriſtopher Folk, for Services on the Ohio Road,		0 17 0	
To Ditto paid Caleb Evans, for ſhoeing Indians Horſes,		4 16 6	
To Ditto paid William Smith, for Rum for the Indians,		2 13 3	
To Ditto paid Edward Kelly, for Diſburſements for Indians,		14 17 1	
To Ditto paid Ditto, in full of his Account,		2 18 8	
To Ditto paid George Honey, for Indian Expences,		8 0 9	
To Ditto paid William Franklin, for immediate Services,		109 4 9	
To Ditto paid the honourable Robert Hunter Morris, Eſq; the Balance of his Account for Indian and other public Expences paid by him,		564 16 4	
To Ditto paid Dr. Thomas Græme, for Medicines and Attendance on Indians,		26 3 8	
To Ditto paid Joſhua Pearſon, and ſeven other Conſtables,		8 10 0	
To Ditto paid Evan Morgan, for immediate Services,		8 2 0	
To Ditto paid Plunket Fleeſon, for putting up Window Curtains,		1 9 6	
To Ditto paid Lawrence Growdon, ſecond Judge, his Salary,		60 0 0	
To Ditto paid William Franklin, for Poſtage of public Letters to the Governor,		20 0 0	
To Ditto paid Ditto, for Poſtage of Ditto to the Speaker,		1 3 1	
To Ditto paid John Clark, Goaler, for dieting Michael Ruſſel, a ſuſpected French Spy,		8 7 0	
To Ditto paid Joſeph Strech, for immediate Services,		8 2 0	
To Ditto paid Richard Peters, in full for Expreſſes,		124 13 6	
To Ditto paid James Wright, for Balance of Flour for the King's Troops,		39 5 5½	
To Ditto paid John Clark, Goaler, for dieting Peter Griſelner, a French Spy,		1 18 4	
To Ditto paid Joſeph Armſtrong, for George Hamilton, and other Guides to Capt. Ord, &c.		28 6 0	
To Ditto paid Ditto, for his Servant John Coxe's Services on the Ohio Road,		3 16 6	
To Ditto paid Benjamin Franklin, for printing Votes of the Houſe,		429 19 0	
To Ditto paid Caleb Cowpland, third Judge, his Salary,		60 0 0	
To Ditto paid Iſaac Norris, for immediate Services,		35 0 0	
To Ditto paid Edward Kelly, as Doorkeeper,		23 16 0	
To Ditto paid John Roſs, of Blue Rock, for maintaining of Coneſtogoe Indians,		9 19 4	
Carried forward	£	2,050 17 7½	

				Credit brought over				£	2,840	3 6
			Debit brought forward	£	2,050	17	7½			
To Ditto paid James Pemberton, for immediate Services,					8	2	0			
To Ditto paid Rachel Lininger, her Husband being killed by the Indians,					5	0	0			
To Ditto paid Patrick Burn, for his Expences back to Cumberland,					10	0	0			
To Ditto paid George Hutchison, for Ditto,					10	0	0			
To Ditto paid Joseph Hamton, per Order,					0	6	0			
To Ditto paid Henry Keppele, per Order, for Goods as a present to Scarroyady's Son,					5	14	6			
To Ditto paid William Allen, Esq; his Salary, per Order,					200	0	0			
To Ditto paid Mary Jones, per Order,					127	0	0			
To Ditto paid Hannah Boyd, per Order,					22	19	10½			
				£	2,440	0	0			
To Commissions, at Five per Cent,					122	0	0			
Balance due to the Province,					278	3	6			
								£	2,840	3 6

1756. *September 24.*

THAT we have examined the Accounts of Joseph Redman, Collector of Excise for the City and County of Philadelphia, and find,

That he Credits the Province, by Balance due at the last Settlement,	£	155	17	9		
By the Amount of Excise from June 1, 1755, to June 1, 1756,		1,741	15	8		
By sundry Retailers at Three Pounds per Annum,		219	15	0		
					£	2,117 8 5
That he Charges the Province, to Cash paid Samuel Preston Moore,		1,745	9	8		
To his Commissions thereon, at Five per Cent,		87	5	6		
To Balance due to the Province, outstanding,		284	13	3		
					£	2,117 8 5

THAT we have examined the Accounts of John Woolston, Collector for the County of Bucks, and find,

That he Credits the Province with the Balance due at the last Settlement,	£	2	11	7		
By Amount of Excise,		220	11	4		
By seven Tavern-keepers, at Three Pounds per Annum,		21	0	0		
					£	244 2 11
That he Charges the Province, to Cash paid Samuel Preston Moore,	£	200	0	0		
To his Commissions on 200 £. at Ten per Cent,		20	0	0		
To Sundries uncollected, allowed by the Committee,		9	16	4		
To Balance due to the Province,		14	6	7		
					£	244 2 11

THAT we have examined the Accounts of Jeremiah Starr, Collector for the County of Chester, and find,

That he Credits the Province with the Balance due at the last Settlement,	£	94	17	2		
By Amount of Excise,		312	6	8		
By thirteen Retailers,		32	6	8		
					£	439 10 6
That he Charges the Province, to Cash paid Samuel Preston Moore,	£	297	10	9		
To his Commissions on £ 297 10 9, at Ten per Cent,		29	15	0		
To an Allowance on an outstanding Debt,		1	10	0		
To the Balance due to the Province,		110	14	9		
					£	439 10 6
We do further report, of Jeremiah Starr's Account, viz.						
The Balance due to the Province, as above,	£	110	14	9		
And Credit the Province with several Entries, and a Fine, omitted last Settlement,		15	9	4		
Balance due to the Province,					£	126 4 1

THAT David M'Connaughy, Collector of the Excise for the County of York, has not exhibited any Account to us, but we find that he has paid the Provincial Treasurer the following Sum, at two Payments this present Year, £ 40 0 0

THAT Arthur Patterson, Collector of Excise for the County of Lancaster, has not exhibited any Account to us; nor do we find that he has settled any Account since the Year 1753, but has paid to the Provincial Treasurer at two Payments in this present Year, £ 101 0 9

THAT James Lindsay, Collector of Excise for the County of Cumberland, has not exhibited any Account to us, but find that he has paid the Provincial Treasurer at two Payments in this present Year, the Sum of £ 30 13 0

THAT Daniel Craig, Collector of Excise for the County of Northampton, has not exhibited any Account to us, but find that he has paid the Provincial Treasurer at two Payments in this present Year, the Sum of £ 36 3 0

THAT John Hughes, Collector of the Excise for the County of Berks, has not exhibited any Account to us; nor do we find that he has paid any Money this Year.

THAT it appears by the Report of the Committee last Year there remained in the Hands of the Trustees, for exchanging of torn and ragged Bills, the Sum of	£	1,702	6	8		
Of which we have burnt the Sum of		1,151	17	6		
Which leaves in the Hands of the Trustees, for Exchange of torn and ragged Bills,					£	550 9 2
THAT we have also burnt of the £ 10,000 Act, pursuant to an Act of Assembly, of	£	10,000	0	0		
the Sum of		4,571	16	6		
Which leaves in the Hands of the Trustees, for exchanging of torn and ragged Bills of Credit, the Sum of					£	5,428 3 6

We submit these Accounts, with the others, to the Observation and Correction of the House.

Philadelphia, September 22, 1756.

JOSEPH STRETCH,
RICHARD PEARNE,
JOSEPH FOX,
JOSEPH HAMTON,
DANIEL ROBERDEAU."

Then

1756. *September* 24. Then the ſeveral Certificates and Orders, for Payment of the Members Wages, the Salaries of Officers, and other Incidental Charges, being ſigned by the Speaker, by Order of the Houſe,

The Houſe adjourned to the Thirtieth of this inſtant *September*.

Sundry INCIDENTAL CHARGES, *allowed at the laſt Sitting of* ASSEMBLY.

Sundry Incidental Charges.

TO the Honourable *William Denny*, Eſq; by Order of the Aſſembly,	£ 600	0	0
To *William Allen*, Eſq; Chief Judge of the Supreme Court,	200	0	0
To *Lawrence Growdon*, Eſq; ſecond Judge of Ditto,	60	0	0
To *Caleb Cowpland*, Eſq; third Judge of Ditto,	60	0	0
To *Richard Peters*, Eſq; as Clerk of the Council,	15	0	0
To *Charles Brockden*, his Account as Maſter of the Rolls,	11	13	11
To the Members of Aſſembly for their Attendance,	1,319	7	0
To *Benjamin Franklin*, his Account for printing Votes, *&c.*	201	4	3
To *Hannah Boyd*, her Account for *Indian* Expences,	22	19	10
To *Mary Jones*, her Account for the Entertainment,	127	0	0
To *William Franklin*, for Expence paid by him for Ditto,	1	5	0
To Ditto, as Clerk to the Houſe, 133 Days, at *Six Shillings per* Day,	39	18	0
To Ditto, his Account for Tranſcribing, Ingroſſing, *&c.*	173	7	9
To *Samuel Kirke*, his Salary as Serjeant at Arms,	8	0	0
To *Richard Hockley*, his Account for affixing the Great Seal,	9	15	0
To *David Edwards*, for Bruſhes, cleaning the Houſe, *&c.*	7	16	6
To *William Franklin*, for Poſtage of public Letters to Governor *Morris*,	20	0	0
To Ditto for Poſtage of public Letters to Governor *Denny*,	0	18	8
To *Benjamin Franklin*, for eſtabliſhing a Poſt between *Wincheſter* and *Philadelphia*, the Charge being agreed to be paid for by a Reſolve of the Houſe; and for Poſtage of Letters to the Army under General *Braddock*,	210	13	9½
To *David Edwards*, for his Attendance as Door-keeper, 121 Days, at *Four Shillings per* Day,	24	4	0
To *Charles Stow*, for ſummoning Eighty-eight Councils, at *Two Shillings* and *Six-pence* each,	11	0	0
To *William Franklin*, his Account for Poſtage of public Letters to the Secretary,	10	0	0
To the Speaker for immediate Services,	40	0	0
To *Joſeph Fox*, for 28 Days on the Committee of Accounts at 6*ſ.*	8	8	0
To *Joſeph Stretch*, for 28 Days on Ditto,	8	8	0
To *John Hughes*, for 28 Days on Ditto,	8	8	0
To *Daniel Roberdeau*, for 28 Days on Ditto,	8	8	0
To *Richard Pearne*, for 28 Days on Ditto,	8	8	0
To *Joſeph Hamton*, for 12 Days on Ditto,	3	12	0
To *Richard Patridge* and *Robert Charles*, each *One Hundred Pounds Sterling*, for their Service as Agents,	345	0	0
	£ 3,564	15	8½

An ACCOUNT of the Diſpoſal of the One Thouſand Pounds *ordered to be paid into the Hands of* Iſaac Norris, Evan Morgan, Joſeph Fox, Benjamin Franklin *and* John Wright, *on the 22d of* Auguſt, 1755, *for ſuch Purpoſes for the King's Uſe as to the Governor and them ſhould ſeem neceſſary: Alſo an Account of the Diſpoſal of the ſeveral Things purchaſed therewith, and into whoſe Hands delivered, that the Government may demand them again in Time of Peace; laid before the Houſe by* E. Morgan.

Dr. Province of PENNSYLVANIA. *Account of the* One Thouſand Pounds *voted by the* ASSEMBLY *for the King's Uſe*, Auguſt 22, 1755.

Diſpoſal of the £ 10,000 *&c.*

	TO Caſh paid Porters for hauling Cheſts of Guns, *&c.*	£ 0	8	9
	To Ditto paid for Cooperage of Powder Caſks,	0	1	10
	To Ditto paid *John Smith* for 1000 Oil Flints	1	10	0
	To Ditto paid him for Carriage of Fifty Guns to *Carliſle*,	1	16	0
Auguſt.	To Ditto paid *Townſend White* for ſaid 50 Guns,	76	7	2
	To Ditto paid Captain *Kennedy* for ſix Guns,	8	8	0
	To Ditto paid *William Ruſh*, Gun-Smith, for mending Guns,	1	2	0
	To Ditto paid *Joſeph Morris* for Powder and Lead,	24	10	0
	Carried forward	£ 114	3	8

		Brought forward,	£ 114	3	9	1756.
Auguſt.	To Ditto paid *James Pemberton* for Twenty-four Muſkets,		30	0	0	*September 24.*
	To Ditto paid for Carriage of Guns, Powder and Lead, as *per Weſt's* Receipt,		6	1	0	
23,	To Ditto paid *Reeſe Meredith* for Sixteen Guns,		27	1	0	
	To Ditto paid Porters for hauling 400 Guns to Store,		0	4	0	
	To Ditto paid *Francis Hamilton*, a Road-cutter (in Want)		1	0	0	
Sept. 27,	To Ditto paid Porters for hauling Lead,		0	1	6	
Oct. 4,	To Ditto paid for Freight for 400 Guns from *New-York*,		6	0	0	
	To Ditto paid Porters for hauling Sundries,		0	6	0	
	To Ditto paid *Thomas Clifford* for four new Guns,		5	8	0	
8,	To Ditto paid Porters for hauling and weighing Cheſts of Guns,		0	3	0	
	To Ditto paid *Culbertſon* for Carriage of a Cheſt of Guns and Ammunition,		1	6	3	
13,	To Ditto paid *John Erwin* for Carriage of a Cheſt, *&c.* to *Joſeph Armſtrong's*,		1	6	3	
20,	To Porters for hauling,		0	2	0	
23,	To Caſh paid *John Groves*, for ſixteen Quarter Caſks of Powder,		40	0	0	
28,	To Ditto paid *Andrew Gair* for Carriage of two Swivel Guns, fifty Muſkets, a Barrel of Powder, and two Hundred Weight of Lead, to *Harris's* Ferry,		5	0	0	
	To Ditto paid *Dutch William*, a Porter, for hauling Sundries,		0	7	0	
	To Ditto paid *Richard Aſheton*, for hauling Powder and Swivels,		0	3	0	
Nov. 15,	To Ditto paid *Hillborn* and *Jones* for ſeven Hundred Weight of Lead,		15	15	0	
Dec. 3,	To Ditto paid *Matthias Buſh* for five Hundred Weight of Lead,		11	5	0	
15,	To Ditto paid *William Bingham* for two Swivel Guns,		5	0	0	
17,	To Ditto paid *John Smith* for *John Elder*, for Carriage of five Cheſts of Guns to *Carliſle*,		5	5	0	
19,	To Ditto paid *Philip Benezet* for three Hundred Weight of Lead,		6	15	0	
	To Ditto paid *Jonathan Zane* for one Hundred Weight of Buck Shot,		2	8	0	
	To Ditto paid for Storage of Guns and Ammunition,		1	0	0	
	To Ditto paid *William Hill* for Storage of Powder,		0	2	0	
27,	To Ditto paid Porters for hauling,		0	4	0	
	To Ditto paid for more hauling,		0	3	0	
	To Ditto paid *John Walter* for Carriage of 100 Guns in four Cheſts, and Powder and Lead to *Wright's* Ferry, intended for the County of *York*,		3	10	0	
	To Account of Guns bought at *New-York*, viz. 400, as *per* Account,		709	19	0	
	To Caſh remaining in my Hands,		0	1	3	
		£	1,000	0	0	

Province of PENNSYLVANIA, *Cr.*

By Caſh received of *Charles Norris*,	£	290	1 0
By Ditto, received of Ditto, paid *Townſend White* his Bill for the 400 Guns bought at *New-York*,		709	19 0
	£	1,000	0 0

The above Account is humbly ſubmitted to the Peruſal of the Aſſembly, by

April 12, 1756. EVAN MORGAN."

1756. September 24.

An ACCOUNT of Guns, Powder, Lead, &c. *ſent into the Back Counties, for the Defence of the Frontiers, bought with the* One Thouſand Pounds *given by the* ASSEMBLY *on the Twenty-ſecond of* Auguſt, 1755; *laid before the Houſe by* E. Morgan.

Names of Perſons to whom delivered.	County to which ſent.	Townſhip to which ſent.	Numb. of Guns.	Quantity of Powder.	Quantity of Lead.
William Buchanan	*Cumberland*	*Carliſle*	50	2 qr. Caſks	2 C. wt. & ½
Juſtice *Maxwell*	*Cumberland*	*Peters-Town*	50	3 Ditto	2 C. wt. & ½
James Galbraith and *Adam Read*, Eſqrs.	*Lancaſter*	*Paxton*	50	2 Ditto	2 C. wt.
John Carſon	*Lancaſter*	*Paxton*	25	1 Ditto	1 Ditto
John Wright	*York*	*Huntington*, *Strabane*, *Cumberland*, *Mun-Allen*	75	3 Ditto	3 Ditto
Captain *Alexander Culbertſon*	*Cumberland*	*Lourgan*	25	1 Ditto	1 Ditto
Joſeph Armſtrong —	*Cumberland*	*Hamilton*	25	1 Ditto	1 Ditto
John Wright —	*York*	*York-Town*	25	1 Ditto	1 Ditto
John Smith —, *John Armſtrong*, *William Buchanan*	*Cumberland*	to be diſtributed at their Diſcretion	125	5 Ditto	5 Ditto
Sent to *Penn's* Creek, at the Time of the firſt Murders there, but ſtopped at *Harris's* by the People, and divided; ſome to *Hunter's* Fort,			50	4 Ditto	2 Ditto, and 2 Swivel Guns
			500	23	21

An ACCOUNT from the TRUSTEES *of the* General Loan-Office, *of the Money paid by them to ſundry Perſons, upon the Orders of the* COMMISSIONERS *appointed to diſpoſe of the* Sixty Thouſand Pounds *granted to the King's Uſe, by the Act of* GENERAL ASSEMBLY, *entituled,* "An Act for granting the Sum of *Sixty Thouſand Pounds* for the "King's Uſe, and for ſtriking *Fifty-five Thouſand Pounds* thereof in Bills of Credit, "and to provide a Fund to ſink the ſame, *viz.*"

1756.

Account of the £ 55,000 Part of the £ 60,000. granted to the King's Uſe.

			£		
January 14.	To Evan Morgan, Eſq; to purchaſe Arms, Ammunition, &c.		5,000	0	0
February 3.	To John Hughes, Eſq; towards diſcharging ſundry Accounts for Arms, Proviſions, Pay, &c.		5,000	0	0
9.	To Joſeph Fox, Eſq; towards maintaining French Neutrals,		1,000	0	0
18.	To Benjamin Franklin, Eſq; for Bills of Exchange, towards purchaſing Cannon, &c. in England,		3,500	0	0
21.	To John Smith, for William Buchanan, to purchaſe Proviſions for the Forces,		400	0	0
	To Capt. Edward Croſtyn, advanced to buy Proviſions for the Forces,		50	0	0
23.	To Samuel M'Call, ſenior, in Part for Guns and Ammunition,		400	0	0
25.	To Capt. George Croghan, his Balance for the Pay of four Companies,		77	7	0
26.	To Capt. Thomas M'Kee, in Part of his Account for Indian and other Expences,		30	0	0
	To Adam Deſhler, for Proviſions furniſhed Capt. Wetterhold's Company,		59	18	11½
	To Capt. John Trump, for himſelf and his Company's Pay,		228	17	2
27.	To Lieut. Patrick Davis, for Pay of himſelf, and a Detachment of Capt. M'Laughlin's Company,		74	14	11
28.	To Capt. James Martin, for himſelf and Company's Pay,		244	19	6
March 1.	To William Jones, for Cattle bought by Capt. Croſtyn, for Northampton County Forces,		129	0	0
2.	To Capt. George Aſton, for himſelf and Company's Pay,		240	15	4
3.	To John Atkins, for Service of his Team, &c. at Fort Hamilton,		11	3	0
	To Conrad Weiſer, for Capt. Chriſtian Buſſe, and Company's Pay,		178	11	0
	To Townſend White, for Guns, Powder and Lead, for Back Inhabitants,		173	19	6
5.	To Benjamin Franklin, Eſq; for Bills of Exchange, ſent to England, for Cannon, &c.		1,487	10	0
10.	To Capt. James Galbreath and Barnabas Hughes, for Proviſions for Ninety Men in the Province Pay, and for Tallow,		202	8	0
	To Benjamin Franklin, Eſq; Balance of his Account for ſundry Diſburſements for the Province,		198	16	11
11.	To James Coultas, Eſq; towards finiſhing the Repairs of the Battery,		200	0	0
	To Meſſieurs Ruſh and Hall, in Part for Guns made by them,		100	0	0
	To Joſeph Turner, Eſq; for Arms, and building a Fort at Shippenſburg,		671	0	7½
12.	To Benjamin Kendall, for Guns,		44	2	6
13.	To William Weſt, for Proviſions furniſhed by Adam Hoops to ſundry Garriſons,		400	0	0
	To Richard Peters, Eſq; a Preſent to Indians,		81	16	11
15.	To Lieut. James Hyndſhaw, for Pay of Capt. Van Etten's Company,		127	12	0
	To Capt. William Craig, for himſelf and Company's Pay,		256	13	3
	To George Reynolds, for himſelf and Company's Pay,		75	15	0
	To Capt. Henry Waggoner, for himſelf and Company's Pay,		134	5	0
	To Capt. George Croghan, in full for Neceſſaries and Diet furniſhed the Forces,		213	11	10
16.	To David Siſholtz, for a Blockhouſe removed to Fort Norris,		15	0	0
	Carried forward		21,007	18	5

		Brought over	£	21,007	18	5
March	16.	To Evan Morgan, Esq; Expences for quartering Regulars from New-York,		89	3	0
		To John Philips, for Swivel Guns, and Shot,		25	18	0
	18.	To Frederick Weiser, in full for Capt. Busse's Company's Pay,		134	17	0
		To Ditto, for Conrad Weiser, for victualling Capt. Busse's Company,		33	6	0
	19.	To Jonas Seely, for victualling the Detachment of Regulars from New-York; also for Ditto Capt. Morgan's Company,		146	9	11
	20.	To Capt. Isaac Wayne, for himself and Company's Pay,		190	2	3
	22.	To Ensign Everhart Martin, for two Months Pay of Capt. Smith's Company,		279	0	0
		To Philip Sierfass, for Sundries furnished at Fort Norris, and Fort Allen,		23	16	9½
		To Rev. Mr. John Steel, Advance Money for Capt. John Potter's Company,		50	0	0
		To Capt. Charles Foulke, for himself and Company's Pay,		475	1	11½
	24	To Andrew Lycan, for two Scalps,		30	0	0
		To Joseph Pugh, for Maintenance of Twenty-two Indians from Harris's		24	19	0
		To John Harris, for Maintenance of Indians,		52	10	4
		To William M'Clure, bringing Indians Luggage,		7	10	0
		To Col. William Clapham, Advance Money, to be hereafter accounted for,		100	0	0
	27.	To John Moore, for going to Blue Rock with Indians Luggage,		12	0	0
		To John Inglis, to be laid out for Stores for the Battery,		60	0	0
		To William Buchanan, towards Expences of fortifying Carlisle,		100	0	0
		To Ditto, Balance of Account, for furnishing Provisions to sundry Garrisons,		101	12	2½
		To Ditto, Advance towards the Purchase of Provisions for Fort Granville, and Pomfret Castle,		100	0	0
	30.	To Myers and Levy, for Blankets,		34	0	0
		To Charles Broadhead, for Sundries furnished Captains Aston and Trump,		19	8	4
		To Elisha Salter, Paymaster, to be paid by him to the Province Forces,		1700	0	0
April	1.	To Peter Weidner, Express,		4	0	0
	2.	To Jeremiah Warder, for Sundries, as per Account,		409	13	3
	3.	To John Craig, for his Trouble and Expences in coming down to give Information,		15	0	0
	6.	To William Parsons, for Maintenance of Guard at Easton, &c.		39	19	11
		To Edward Croftyn, in full for Provisions for Forces in Northampton County,		81	11	11½
		To Ditto, Advance, towards purchasing Provisions for Ditto,		50	0	0
	7.	To Jeremiah Trexler, in full for Pay, Provisions and Work,		384	0	0
		To Frederick Smith, in full for his Company's Maintenance, &c.		186	11	8
	8.	To William Brown, for Flour to French Neutrals,		28	6	1
	9.	To Col. William Clapham, advanced for paying and equipping Forces under his Command,		200	0	0
		To Joseph M'Makin, for Relief of his Distresses by Indians,		7	10	0
		To William Griffitts, and Thomas Say, for Maintenance of French Neutrals,		300	0	0
		To James Pollock, in full for his Expences in riding Express,		7	0	0
	10.	To James Burd, for Sundries, Pay, Advance-Money, &c.		137	10	0
		To Col. William Clapham, towards Pay, &c. to be accounted for,		200	0	0
	12.	To Edward Croftyn, towards purchasing Provisions,		80	0	0
		To Conrad Weiser, for victualing Busse's Company,		58	6	0
		To Ditto, for Capt. Busse and Company's Pay,		139	10	0
		To George Gabriel, &c. for their Distresses by the Indians,		10	0	0
	13.	To Evan Morgan, Esq; the Balance of his Account, for sundry Disbursements,		81	17	2¾
	14.	To John Leydeg, for Attendance, and Medicines for several Persons wounded by Indians,		10	0	0
		To William Fisher, in full for striped Duffils,		17	0	0
	15.	To John Young, for Carrying-Saddles,		8	0	0
		To John Snowden, for Ditto,		20	0	0
	16.	To Patrick Reynolds, for 321 Pine Logs,		120	7	6
		To Col. William Clapham, towards Pay and Subsistence,		200	0	0
		To William Edmonds, for Jacob Ehrenhart, for Provisions for Forts Allen, and Norris, &c.		36	6	8
		To Ditto, for the Brethren's Account, for Maintenance of Refugee Inhabitants, and Indians,		171	8	0¾
		To Francis Parvin, for Provisions for Families driven from their Settlements,		19	1	1
		To Nathaniel Pennock, &c. for French Neutrals,		150	0	0
		To Griffith Owen, &c. for Ditto,		60	0	0
		To John Van Etten, for his and Company's Pay and Subsistence,		124	0	7
	17.	To Joseph Fox, Esq; for Michael Teaff's Account for Provisions for a Guard against Indians,		20	17	0
		To Thomas Apty, for Riding Express,		4	0	0
		To Michael Ege, for dieting Soldiers from New-York, sent by General Shirley,		3	8	0
		To James Wright, for John Bailey's Account for Entertainment of sundry Militia, which marched to John Harris's, in November last,		3	19	7
		To Ditto, for Barnabas Hughes, for Ditto,		20	9	7
		To Ditto, for Samuel Scott, for Ditto,		35	13	5
	20.	To Andrew Montour, for his Journey to Onondago,		56	5	0
		To Scarroyady, for Ditto,		37	10	0
		To Jacob Orndt, in full of his Account, for Pay of his Company, &c.		329	10	2
		To Charles Stow, for Carrying-Saddles,		12	0	0
		To Col. William Clapham, towards Pay and Subsistence,		100	0	0
		To Jonathan Cainquillikoa, for Wampum and Services,		22	0	0
		To William Rush, for 150 Muskets,		344	10	0
		To John Correy, for Horse-hire,		14	4	6
		To John Thorn, for his Distresses by the Indians,		10	0	0
		To Widow Hinshelman, for boarding Indian Boys,		23	14	10½
	22.	To Peter Trexler, for Provisions for Capt. Jeremiah Trexler's Company,		93	2	0
		To Hugh Roberts, in full of his Account, for Tools, &c. for the Provincial Forces,		265	13	9
	23.	To George Lynderman, for a Scalp, and Cure of a Wound from the Indians,		18	15	0
		To Adam Hoops, in full of his Account, for Provisions for Provincial Forces,		570	6	9
		To Isaac Norris, Esq; which he paid John Harris, for Expences of Militia in November last,		15	0	0
	24.	To Hezekiah Williams, for 50 Barrels of Pork,		175	0	0
		To Hannah Boyd, in full of her Account for Indians Maintenance,		61	6	3
		To Daniel Claus, for Indian Expences,		61	10	4
	26.	To Samuel Depuy, for Maintenance of Provincial Soldiers,		15	15	0
		To Conrad Weiser, for Indian Expences,		218	18	3
		To Jacob Stadler, &c. in full of their Accounts for 400 Shot Pouches,		65	0	0
		To Samuel Neave, for William Buchanan's Order on Commissioners, for supplying Provisions,		50	0	0
		To William West, for Ditto,		50	0	0
		To Samuel M'Call, senior, for Arms and Ammunition,		200	0	0
		To George Honey, for Indians Maintenance,		18	13	5
		To James Wright, &c. for Goods for Ditto, &c.		20	8	7
		Carried forward	£	31,092	4	8

1756. *September 24.*

1756. September 24.

			£	s	d
		Brought forward	31,092	4	8
April	27.	To Colonel William Clapham, the Balance of his Account, for Pay, &c.	275	12	3
		To James Hamilton, Esq; for Money by him advanced,	9	14	0
		To Ditto, for Ditto,	1,954	12	0
	28.	To John Mears, in full for his Service as Commissary,	10	4	0
		To John Spoor and Jacob Nisely, in full of their Account, for carrying Provisions and Stores,	25	5	0
		To the Honourable Robert Hunter Morris, Esq; towards bearing his Expences to Harris's, and for purchasing Wheat, &c.	2,000	0	0
		To James Read, in full of his Account for Expresses, and Sundries furnished the Regulars, at Reading,	12	15	6
	29.	To James Coultas, towards repairing the Battery,	200	0	0
		To Frederick Smith, in full for his and Company's Pay,	139	10	0
		To Samuel Abbot, for Twenty-five Barrels and Half of Beef, per John Mifflin,	63	19	4
		To William West, for Expences paid by Mercer in Recruiting his Company,	30	0	0
		To John Nicholas Wetterhold, for his and Company's Pay,	332	3	0
May	1.	To Col. William Clapham, for Balance of Account now settled, for Pay, &c.	160	1	5
	3.	To Benjamin Franklin, for Cash advanced for the Province,	97	5	7
	4.	To Charles Gandowin, for 26 Barrels of Pork, and 24 Barrels of Beef,	151	0	0
	5.	To Christian Busse, for Sundries, for building Fort Henry, and other Expences,	152	0	9
	7.	To John Inglis, for Sundries for the Battery,	135	6	0
	8.	To John Malcolm, in full of his Account for 50 Tents,	64	9	5
		To John Blakely for 161 Barrels of Beef,	402	10	0
		To Levy Trump, in full for Pay and Subsistence of himself and Detachment,	99	17	0
		To Jonas Seely, for dieting Soldiers,	16	17	0
		To Ditto, for furnishing Provisions for the Provincial Forces,	210	18	3½
		To David Edwards, for Provisions for Indians,	127	2	5
	11.	To John Carson, for Sundries furnished the People at Hunter's Mill,	4	6	0
	12.	To William Pywell, for 15 Barrels of Pork for Provincial Forces,	50	12	6
		To Edward Croftyn, for Provisions,	160	0	0
		To Joseph Laycock, for present Relief, his House being burnt by Indians,	5	0	0
		To Susanna Cavet, for Ditto,	5	0	0
		To Samuel M'Call, senior, Balance of his Account, for Arms, &c.	95	5	0
		To William Clinton, for Horse Shoes, &c.	4	10	0
	13.	To Joseph Fox, Esq; to pay Waggoners, &c.	300	0	0
		To Urban Friebele, for Medicines, &c. for wounded Men at Allemingle,	12	0	0
		To William Rush and John Hall, for Guns,	50	0	0
		To John Smith, for William Buchanan's Order, in his Favour,	543	0	0
	14.	To Caleb Evans, for Horse Shoes, &c.	4	8	4
		To Joseph Richardson, for 14 Half Barrels of Powder,	66	10	0
		To William Edmonds, for sundry Accounts to be paid John Hayes, &c.	27	17	2
		To Mary Haselton, for 9 Blunderbusses,	11	5	0
		To Joseph Morris, for David Magaw's Order, for sundry Balances due to him from Ohio Road-Cutters,	16	4	10
	15.	To Conrad Weiser, for victualling Capt. Busse's Company, &c.	57	6	0
		To Samuel Weiser, for Christian Busse, for Pay of himself and Soldiers,	143	5	0
	17.	To George Bryan, for 757 Shirts for Provincial Soldiers,	391	14	4
		To Patrick Reynolds, for 179 Logs,	67	2	6
	18.	To John Hughes, Esq; Balance of his Account for sundry Stores, &c. purchased for the Province,	165	16	2
	19.	To James Pearson, for Ensign William Johnson, in full for Pay of a Detachment of Capt. Inslee's Company, and others under his Command, at Reading,	139	11	0
		To Barnaby Hughes, for dieting Capt. Shippen's Men, &c.	6	9	8
		To Ditto, for Balance due to James Galbreath, for 1,500 Bushels of Wheat, purchased for Province Troops going to Shamokin,	37	10	0
		To Ditto, for Frederick Smith, and Company's Pay,	143	5	0
		To Ditto, for his Account for Provisions furnished 90 Men at Hunter's Mill, &c.	198	0	0
		To John Ord, for 448 Soldiers Coats, and 17 Serjeants Coats,	1,138	11	6
		To Ennis and Apty, for sundry Indian Expences,	15	8	6
		To James Sharpe, and others, to be divided among 31 of Capt. Culbertson's Militia Company, for re-taking sundry Persons from the Indians in the late Engagement near Sideling-Hill, and William M'Cord, whose House was burnt,	174	0	0
	20.	To Dr. John Redman, for Medicines and Instruments furnished John Morgan, Surgeon to Col. Clapham's Regiment,	40	15	11
		To Thomas M'Kee for his and Company's Pay, and Sundries, as per Account,	257	5	6
	22.	To Charles Folke, for his and Company's Pay,	277	11	9
	24.	To Henry Keppele, for 42 Barrels of Beef, and two Waggon Screws,	109	0	0
		To Samuel Powell, for 200 £. of Swan Shot, for the Use of the Brethren at Bethlehem,	5	0	0
	25.	To John Imley, for 76 Barrels of Pork, and one Barrel of Beef,	277	17	0
	27.	To Daniel Harry, in Part Pay of Capt. Morgan's Company,	150	0	0
	28.	To Adam Deshler, for Provisions furnished Capt. Wetterhold's Company,	47	15	2
		To John Nicholas Wetterhold, for Pay for himself and Company; and Allowance for 36 Guns found by his Men,	166	5	6
	29.	To William West, in full of Adam Hoop's Order on the Commissioners in his Favour,	500	0	0
		To Ditto, for William Buchanan's Order in his Favour,	65	0	0
June	1.	To George Croghan, for sundry Accounts, building Fort Shirley, &c.	200	0	0
		To William Henderson, for 107 Pair of Leather Breeches, with a Chest to pack them,	128	13	0
	2.	To Alexander Derodoban, for Physick and Attendance to French Neutrals,	15	0	0
		To Preserve Brown, for 40 Barrels of Pork,	145	0	0
		To John Welch, in full for Pay of 20 Men at Fort Granville,	114	6	6
		To Conrad Weiser, to be paid sundry Indians, going on Messages, &c.	46	17	6
		To Richard Peters, Esq; in full of his Account for Indian Expences,	73	13	0
	4.	To John Smith, for William Buchanan's Order in his Favour,	159	0	0
		To Alexander Huston, for 14 Barrels of Pork,	50	15	0
	5.	To William Morton, for Freight of Arms and Ammunition from Boston, &c.	35	0	0
		To Michael Newbold, for 31 Barrels of Pork,	112	7	6
	6.	To Jacob Morgan, for his and Company's Pay, building Blockhouses at North-kill,	340	18	9
	8.	To Joseph Turner, for 22 Casks of Pease,	33	4	11
	9.	To John Correy, for 214 Pair of Leather Breeches,	256	8	0
	10.	To Samuel Mifflin, for Cash advanced to 11 Men for his Majesty's Navy, and for their Passage to Halifax,	79	15	0
		To Joseph Fox, Esq; Balance of his Account of Disbursements,	3	3	6¼
	12.	To Preserve Brown, for 20 Barrels of Pork,	72	10	0
		Carried forward	45,560	9	8¼

1756.					1756.
		Brought over	£ 45,560 9 8¼		
June 12.	To Samuel Neave, for Goods for Indians,		66 12 9		
	To Christian Busse, for Pay of his Company to the 7th Instant,		143 5 0		*September* 24.
16.	To Capt. Charles Foulke, in full for Pay of himself, and Company,		189 11 0		
	To Christian Sprigel, for Medicines, &c. for wounded Men over the Mountains,		12 0 0		
	To Joseph Fox, Esq; to discharge sundry Accounts,		100 0 0		
	To Benjamin Franklin, Esq; for Cash paid for Guns, Blankets, &c.		287 6 10½		
	To Wharton and Story, in full for Sundries,		42 8 1		
18.	To Jonas Seely, in full for Pay for Town Guard at Reading,		34 16 0		
	To Peter Bard, in full for Pay, &c.		30 9 6		
	To Leonard Melchior, for two Rifle Guns,		6 0 0		
	To Edward Croftyn, advanced for Cattle,		400 0 0		
21.	To Samuel Depuy, in full of his Account for purchasing Provisions for a Detachment of Capt. Wetterhold's Company,		33 1 8		
	To Capt. Jacob Orndt, in full for Pay, &c.		305 15 11		
23.	To Daniel Cressop, for two Scalps,		97 10 0		
24.	To William West, for Dr. Prentice's Account for Medicines, &c.		20 0 0		
25.	To Jeremiah Warder, in full of his Account for sundry Goods,		248 6 6		
	To John Ross, of Blue Rock, for maintaining Indians, &c.		20 14 10		
28.	To Capt. Joseph Inslee, in full for Pay of himself, and Company,		238 0 1		
	To Frederick Smith, in full for Pay, and building a Fort at Swatara Gap,		165 6 6		
	To Joseph Fox, Esq; to discharge sundry small Accounts,		200 0 0		
July 1.	To Jacob Mess, in full of Capt. Charles Foulke's Account for Pay and Subsistence,		40 1 4		
	To William Edmonds, for sundry Indian Expences, &c.		51 3 11		
2.	To James Galbreath, Balance of his Account for Flour,		71 8 4		
	To William Buchanan, Balance of his Account for Provisions,		398 9 9		
3.	To Robert Scull, for riding Express,		15 0 0		
	To William Peters, as Military Secretary, &c.		50 0 0		
	To John Hughes, Esq; his Advance to Conrad Weiser, for Pay, &c.		80 0 0		
5.	To Jonathan Evans, in full for branding Pork, &c.		8 12 0		
6.	To Richard Peters, Esq; for Indian Expences,		16 1 2		
	To Edward Shippen, for Sundries for the Provincial Forces, &c.		22 15 5		
	To Adam Hoops, in full for Provisions to sundry Forts, &c.		703 8 0		
	To Hannah Boyd, for boarding Indian Children,		23 5 2		
	To John Hughes, Esq; in full for Sundries for Province Service,		104 16 4		
	To James Young, Esq; Paymaster, to pay Forces under Col. Clapham,		1,500 0 0		
	To Ditto, in Part Pay,		50 0 0		
	To John Bleakly, in full for Provisions for French Neutrals,		118 0 3		
	To Joseph Fox, Esq; to discharge sundry small Accounts,		250 0 0		
7.	To James Coultas, for repairing the Battery,		181 13 9		
10.	To William Skeels, for 165 Barrels of Pork, per Account,		598 2 6		
13.	To Rush and Hall, Balance of Account for Guns,		361 4 3		
14.	To Benjamin Loxley, for Boards for Guard-house, near the Powder-house,		12 12 2¼		
16.	To John Armstrong, in full for his Account for Recruiting,		18 16 6		
26.	To Michael Newbold, for Pork, &c. 29 Barrels,		105 2 6		
	To Joseph Fox, Esq; to send to Commissary Young,		2,000 0 0		
			£ 54,982 7 9		
	Balance remaining in the Trustees Hands, due to the Province,		17 12 3		
			£ 55,000 0 0		

An ACCOUNT of the Money paid by the TRUSTEES *of the* General Loan-Office, *upon the Orders of the* COMMISSIONERS *appointed to dispose of the* Thirty Thousand Pounds *granted to the King's Use, by the Act of* GENERAL ASSEMBLY, *entituled*, "An Act for "striking the Sum of *Thirty Thousand Pounds* in Bills of Credit, and giving the same "to the King's Use; and for providing a Fund to sink the Bills so to be emitted, by "laying an Excise upon Wine, Rum, Brandy, and other Spirits," viz.

1756.					
October 12.	To Thomas Apty, to be delivered Commissary Young, for Pay of the Forces,	£	5,000 0 0		Account of the
16.	To Conrad Weiser, for victualing Capt. Busse's Company,		233 4 0		£ 30,000
	To Ditto, for Indian Expences,		36 8 3		granted to
20.	To Benjamin Franklin, Esq; for Money advanced by him for sundry Purposes,		801 3 5		the King's Use
22.	To Joseph Fox, Esq; in Discharge of sundry Accounts for public Services,		100 0 0		
	To James Ennis, for Government Expresses,		60 9 0		
	To Thomas Apty, for Ditto,		26 1 5		
	To Samuel Mifflin, for Bounty-Money to Seamen for his Majesty's Navy, and for their Passage to Halifax, &c.		242 15 6		
23.	To Barnaby Hughes, in full of his Account for Provisions, &c.		259 8 2		
25.	To John Welsh, for Commissary Young's Order in his Favour,		60 0 0		
	To John Hughes, for Sundries advanced for Provisions, &c.		114 15 6		
	To Adam Hoops, for Provisions, &c. furnished the Province Forces,		1,152 0 7½		
	To William Buchanan, for Ditto,		428 6 6¾		
	To Capt. Hugh Mercer, for Pay,		46 0 0		
26.	To Joseph Fox, Esq; for Payment of sundry public Accounts,		100 0 0		
27.	To Wharton and Story, for Sundries for the public Service,		53 8 5		
	To William Griffitts, for Cloathing for the Provincial Forces,		411 4 3		
	To Capt. Joseph Inslee, in full of his Account for Pay, &c.		189 6 2		
	To Andrew Meacomorn, for Maintenance of French Neutrals,		14 7 0		
	To John Armstrong, on Account of his Pay as Lieutenant-Colonel,		40 0 0		
	To Samuel Neave, for Goods furnished for the Treaty at Easton,		63 7 0		
28.	To Conrad Weiser, for Maintenance of his Company at Reading, &c.		153 1 6		
29.	To Col. John Armstrong, for Sundries on the Expedition to Kittanning,		349 13 0		
	To Adam Deshler, for Provisions for Province Forces,		259 18 7		
	To Doctor Thomas Græme, for Medicines for Indians,		33 13 6		
30.	To Col. John Armstrong, for sundry Prisoners and Scalps brought from Kittanning,		271 17 6		
November 1.	To Peter Bard, for his Salary as Commissary General of the Stores, &c.		46 10 0		
2.	To Daniel Harry, for Jonas Seely's Account for Victualing Capt. Morgan's Company,		378 19 0		
	To Richard Peters, for Indian and other Expences, &c.		238 9 7		
	Carried forward	£	11,164 7 11¼		

1756.							
		Brought over	£	11,164	7	11¼
September 23.	*November* 4.	To Sebaſtian Levan, for his Father's Account for ſupplying Capt. Inſlee's Company with Proviſions,		227	14	0
		To Capt. John Vanetten, Balance of his Account for Pay of himſelf and Company,		477	4	0
		To Ditto, for Subſiſtence of his Company,		83	9	2
	5.	To Iſaac Norris, for Governor's Expences to Eaſton, and towards making a Preſent to the Indians,		500	0	0
	6.	To David Edwards, for his Attendance on the Commiſſioners, in Part,		10	0	0
	8.	To Edward Croſtyn, for Proviſions for the Province Forces,		1,500	0	0
	9.	To Mary Moore, in full for her Huſband's Account for Waggonage,		19	0	0
	13.	To Allen and Turner, for Arms and Accoutrements, &c.		1,074	12	0
	23.	To Capt. Frederick Smith, for Pay due to his Company,		150	0	0
	24.	To Chriſtopher Sower, for Maintenance of French Neutrals,		20	7	4
		To Abraham Kintſey, for Waggon-hire,		75	0	0
		To Francis Smedley, for Maintenance of French Neutrals,		12	4	6¼
		To Thomas Thizrim, for Ditto,		3	4	11
		To Jeſſe Maris, for Ditto,		11	12	6½
		To Jacob Cantzon, for Medicines and Attendance for Province Soldiers,		9	1	0
		To Stephen Carpenter, for Indian Expences,		17	9	0
	25.	To Samuel Neave, for Goods for Indian Treaty at Eaſton,		401	6	11½
	26.	To James Hamilton, Eſq; for Caſh advanced to Edward Croſtyn for Proviſions,		150	0	0
		To John Hughes, Eſq; for Capt. Vanetten's Order,		150	0	0
		To William Edmonds, for Indian Maintenance at Bethlehem,	£ 175 4 2			
		To Ditto, for Ditto,	144 15 5¼	341	3	7¼
		To Ditto, for T. Horſefield, Eſq; for Ditto,	21 4 0			
		To Chriſtian Buſſe, in Part of his and Company's Pay,		400	0	0
	29.	To William Branſon, for Grenadoes, Shot, and Bullets,		48	0	3
		To Samuel Neave, for Commiſſary Young's Order, in Favour of John Harris of Paxton,		20	0	0
		To Edward Ward, in Part of Pay for his Company,		100	0	0
		To Conrad Weiſer, in Part, for Pay of himſelf and Company, at Reading,		400	0	0
		To John Pumpſhire, for his Service as Indian Interpreter, &c.		20	0	0
		To Jacob Levan, for Proviſions furniſhed Capt. Reynold's Company,		203	8	9
	30.	To Thomas Wharton, for two Caſks of Nails for Fort Auguſta,		13	8	0
		To George Reynolds, for Pay of himſelf and Company,		722	7	0
	December 1.	To William Chancellor, for Medicines for Forces at Carliſle,		4	9	0
		To Jacob Orndt, for Pay for himſelf and Company,		801	1	6
	3.	To William Moore, for Carriage of Sundries for Col. Clapham's Regiment,		7	0	0
		To William Galbreath, for Pay as Commiſſary of Stores, &c.		98	16	5
		To Samuel Smith, and others, Executors of Capt. William Grant, for Sundries furniſhed for Province Service,		10	19	11
		To William Johnſton, for Pay of himſelf and ſundry Soldiers,		472	14	0
	4.	To Matthew Rea, for Maintenance of French Neutrals,		12	1	5½
	6.	To William Henry, for Work done by him and others at Harris's Ferry and Shamokin,		43	17	6
		To Thomas M'Kee, for Indian Expences, &c.		61	8	6
		To Capt. Eliſha Salter, in Part of his and Company's Pay,		100	0	0
	7.	To Lynford Lardner, to diſcharge ſundry ſmall Accounts againſt the Province,		100	0	0
		To Frederick Smith, for Pay of himſelf and Company,		569	17	6
	9.	To Robert Owen, in Part for keeping the Commiſſioners Books,		20	0	0
		To Anthony Benezet, for Maintenance of French Neutrals,		27	19	9
		To William Clinton, for Spades and Shovels,		3	4	0
	10.	To Doughty Jones, for Indian Expences,		8	1	6
	11.	To John Abraham Denormandie, for Maintenance of French Neutrals,		100	0	0
		To John Baldwin, for 50 Pair of Shoes for Province Forces,		18	15	0
		To Nathaniel Grubb, for Maintenance of French Neutrals,		5	14	2½
	13.	To Moſes Tatamy, for Indian Expences,		10	0	0
		To Joſeph Fox, Eſq; for ſundry Diſburſements for public Service,	£ 234 2 11½	346	12	1½
		To Ditto, for Ditto, and Journey to Eaſton, and other public Services,	112 9 2			
	14.	To Philip Syng, for ſundry Accounts exhibited for making a Guard-houſe for the King's Troops,		95	11	3
	15.	To Jeremiah Warder, in full of his Account, and for S. Depuy's Order for victualing Capt. Wetterhold's Company, &c.		188	1	8
	16.	To Robert Armſtrong, for Timber and Boards, &c. delivered by Col. Clapham's Order,		25	6	6¼
		To James Patterſon, towards Pay of his Company of Rangers,		20	0	0
		To John Leidig, for curing ſundry Perſons ſcalped and wounded by the Indians,		17	8	0
		To the Reverend Charles Beatty, for his Pay as Chaplain to Col. Clapham's Regiment,		37	0	0
	17.	To Capt. Thomas Lloyd, for ſundry Draughts of Commiſſary Young in his and M. Teaff's Favour,		250	0	0
		To Capt. John Vanetten, for Pay and Subſiſtence of his Company,		308	2	6
		To Richard Peters, Eſq; for Expreſſes, and the Governor and Mr. Logan's Expences at Eaſton, not paid by Mr. Fox,		12	5	0
	18.	To John Baker, and Abraham Waine, for Work done for the Province at Shamokin,		47	2	6
		To Joſeph Fox, Eſq; for Payment of ſundry ſmall Accounts,		100	0	0
	21.	To Edward Croyſton, for victualing Forces at Shamokin,		200	0	0
		To Hughes and Jones, for Sundries furniſhed Province Forces,		240	6	9
	23.	To Samuel Hunter, for Sundries for Forces at Shamokin,		28	13	6½
	24.	To Charles Coyle, for a Mare loſt in Kittanning Expedition,		9	0	0
		To Nathaniel Miles, for Diet, &c. for Province Soldiers,		7	0	6
		To Charles Oſborne, for Medicines for Col. Armſtrong's Battalion,		19	14	7½
	27.	To Michael M'Guire, for Carpenters Work at Shamokin,		17	14	6
	28.	To Charles Norris, for what he advanced per Order, viz. £ 1000 0 0 for the Governor's Journey on the Frontiers, and £ 420 19 5¾ advanced for Maintenance of French Neutrals, per Order,		1,420	19	5¾
		To Hannah Boyd, for Maintenance of Indians,		25	8	0
		To David Edwards, for Ditto,		134	14	9½
	31.	To Conrad Weiſer, for his and Capt. Buſſe's Company's Pay, and ſundry Accounts,		457	17	3
		To Henry Keppele, for Hambright's Account for raiſing and Maintenance of ſundry Provincial Soldiers,		40	1	0
1757.		To James Young, Commiſſary and Paymaſter, for the Forces,		1,900	0	0
January 1.		To Thomas James, for Indian Services,		2	15	2
	4.	To William Buchanan, for Proviſions furniſhed Provincial Soldiers,		1,500	0	0
		To Benjamin Franklin, Eſq; for Bills of Exchange to be remitted to London, for Arms, Ammunition, &c.		1,365	11	2¼
		To George Noarth, for his Diſburſements for the Uſe of the Artillery Company of the City of Philadelphia,		39	6	5
		To John Hughes, Eſq; in Part of Sundries furniſhed the King's Troops in this City,		342	6	0
			£	30,000	0	0

APPENDIX to the VOTES of ASSEMBLY, *from* October 1755, *to* October 1756.

1756. *September 24.*

An Extract of a Letter from ROBERT CHARLES, *Esq; one of the Agents of this Province at the Court of* Great-Britain; *dated,* Golden-Square, February 16, 1756.

THE Earl of *Loudon*, a Nobleman of amiable Qualifications, and of great Character as an Officer, is appointed to command in Chief in *America:* I hope, under his Lordship's Direction, Matters will be put on a proper Footing for the Security of the Colonies; and your Province cannot do any thing more acceptable here, or pursue a wiser Measure for its own Interest, than by strengthening his Lordship's Hands in carrying on the Service of the Crown.

The Parliament have likewise voted a Sum for raising an *American* Regiment of 4000 Men; and as it is proposed to get foreign Protestants from the great Numbers of *Germans* who are amongst you, to enlist and mix in this Corps, a Proposal has been made for the Employment of some foreign Officers; two Schemes on this Subject have been communicated to the Agents for *North-America*, whereof, and of my Observations thereon, I herewith send Copies. The Ministry are determined to carry this Measure into Execution, and for this End a Bill is now before Parliament, to enable his Majesty to grant Commissions to the foreign Officers who shall be employed in this Regiment; to which, considering the present Situation of Affairs in *America*, and the exposed State of your Colony, and some of the Southern Ones, I did not think it prudent to give any farther Opposition.

A COPY *of the first SCHEME for employing foreign Officers,* &c. *viz.*

IT is supposed that there are not less than One Hundred Thousand Foreigners in the Colonies in *North-America*, few or none of whom are in Arms.

It is very difficult to raise Men in *America* for the Regiments there, or indeed to prevail on any *Americans* to inlist in any but the Provincial Corps.

It has been thought, that the foreign Protestants of *America* would more willingly inlist in a separate Corps, composed chiefly of themselves.

To raise and discipline such a Corps, it is imagined that some foreign Officers must be sent from *Europe*, our Officers not being well acquainted with the Method of traineing *Swiss* or *German* Soldiers, and being totally unacquainted with the *German* Tongue. The late Settlers are represented to be entirely ignorant of the *English* Language.

A Regiment composed of these foreign Protestants, it is presumed, would be so many Soldiers gained to the Public; they might be employed any where in *America*, and be particularly useful in Garrison.

The Fidelity of the Officers sent over might be depended upon, as *Swiss* or *German* Officers were seldom if ever known to betray their Trust.

This Regiment to be restrained from serving in *Great-Britain*, and (if thought fit) confined entirely to Service in *America*. The Officers not allowed to serve in *English* Corps.

After the first Beginning no Foreigners to be admitted, even at first not more than a certain Proportion of Officers to be sent from *Europe*, the other Commissions to be given to *Americans*, and all Vacancies in this Corps filled by his Majesty's Subjects.

Any other proper Restrictions or Regulations might be added."

The AGENT'S *OBSERVATIONS on the foregoing Scheme,* viz.

UPON the Communication made by the Right Honourable the Lord Viscount *Barrington*, his Majesty's Secretary at War, to the Agents of the Northern Colonies of *America*, of a proposed Scheme of raising a Body of Sixteen Hundred foreign Protestants in these Colonies, and of placing foreign Officers in Command over them; the under-written Agent for the Colony of *New-York*, and joint Agent with Mr. *Patridge* for *Pennsylvania*, thanking his Lordship for the Honour of this Communication, humbly takes Leave to observe:

That whatever the Number of foreign Protestants may now be in *America*, their Settlement there was permitted in Confidence that they would, in Time, learn the Language, Laws and Constitution of *Great-Britain* and her Colonies, and in all Respects become truly *British* Subjects.

That if it be Fact, that these Foreigners "would more willingly inlist in a separate "Corps composed chiefly of themselves," that Inclination is repugnant to the Views wherewith they have been admitted into the *British* Colonies; and therefore, with all Submission, not so proper to be countenanced.

That

1756. *September* 24. That the Raiſing of a Corps of Sixteen Hundred Foreigners, unmixed with any of his Majeſty's *Britiſh* Subjects, and putting it under the Command of foreign Officers, to be ſent for from *Swiſſerland* or *Germany*, who, by the Laws now in being, cannot legally exerciſe ſuch Command, is a new and extraordinary Meaſure, which may create Jealouſy and Diſguſt in the King's natural-born Subjects, and may even be attended with ſome Degree of Danger to the *Britiſh* Intereſt in *America*.

If it is the Intention of the Crown to avail itſelf of the Numbers of foreign Proteſtants in *America*, it is apprehended that they may be inliſted and mixed with his Majeſty's *Britiſh* Subjects; and for this End ſome ſubaltern Commiſſions might be given amongſt the naturalized Foreigners in *America*, who, from their Influence and Acquaintance, may be thought beſt able to procure the Inliſtment of their Countrymen, but it is humbly conceived, that the chief Command and the chief Commiſſions ſhould be given to the King's natural-born Subjects, who, it is hoped, do not fall ſhort of any foreign Officers whatever in Point of Fidelity; and muſt ſurpaſs them in natural Affection, and real Concern for the Security and Welfare of *Great-Britain* and her Colonies.

Golden-Square, Jan. 1, 1756. R. CHARLES."

A COPY *of Lord* BARRINGTON'S *Letter to the Agent, containing the ſecond SCHEME for employing foreign Officers, &c. viz.*

SIR, *War-Office, January* 14, 1756.

I HAVE communicated to the King's Servants the Obſervations which I had received from the Agents of the *North-American* Colonies, on a Propoſal for raiſing a Regiment of his Majeſty's foreign Subjects there: Theſe Obſervations have been carefully and maturely weighed, and in Compliance with what is there ſtated to be the Opinion and Inclinations of the Colonies, that Scheme is laid aſide. But as the Want of Officers and Engineers is very apparent, and not to be ſupplied from hence, and it is much deſired to mix the Foreigners ſettled there with his Majeſty's natural-born Subjects in *America*, and to avail ourſelves of their Strength in this Time of univerſal Danger to the Colonies, the incloſed Scheme has been propoſed, which is thought to be free from all the Objections made to the other. If you have any to this, I wiſh you would propoſe Amendments, which ſhall be attended to and conſidered, and I hope they will be communicated to me as ſoon as poſſible, as ſomething muſt be concluded upon by the Beginning of next Week. I am, Sir,

Your moſt humble Servant,

BARRINGTON."

The SCHEME, ſent with the above Letter.

THE Want of Officers and regular Troops in *North-America* being very apparent, it is propoſed, that inſtead of Mr. *Prevoſt's* Scheme, an Eſtimate be laid before Parliament of a Regiment, conſiſting of three Battalions, to be raiſed out of his Majeſty's foreign and other Proteſtant Subjects reſiding in *North-America*.

And that a Bill be brought in, to enable his Majeſty to give Commiſſions to foreign Proteſtants, not exceeding the Number of Half the Officers in the ſaid Regiment, to ſerve in the ſame, or as Engineers, to be entituled to Half Pay, but not to rank or to ſerve any where but in *America*; and to be provided in the ſaid Bill, that the Command of the Regiment be always in a natural-born Subject.

It may be proper to be declared to be his Majeſty's Intention, that a certain Proportion of theſe Commiſſions be given to *Americans*."

The AGENT'S *LETTER to Lord* BARRINGTON, *in Anſwer to the foregoing*, viz.

My LORD, *Golden-Square, January* 17, 1756.

I HAVE had the Honour of your Lordſhip's Letter of the 14th Inſtant, incloſing a new Scheme for raiſing a Regiment conſiſting of three Battalions, out of his Majeſty's foreign and other Proteſtant Subjects reſiding in *North-America*; and acquainting me that Mr. *Prevoſt's* Scheme is laid aſide.

As I find, my Lord, by the Propoſition of bringing in a Bill to enable his Majeſty to give Commiſſions to foreign Proteſtants, who are not to exceed Half the Number of the Officers of the ſaid Regiment, that the Intention of employing foreign Officers is ſtill continued, I muſt, with all humble Submiſſion, make uſe of the Liberty your Lordſhip has been pleaſed to give me, by continuing to declare my Apprehenſions, that this Meaſure may be productive of much Jealouſy and Diſcontent, and may retard rather than accelerate the Inliſtment of the propoſed Corps, which is the firſt and principal Object; for I do conceive, that the Raiſing of this Regiment cannot be more effectually and ſpeedily carried on than by a proper Partition of the Commiſſions between his Majeſty's natural-born

Subjects

Subjects here, those in *America*, and the naturalized foreign Protestants, who have acquired Property in the *British* Colonies; these, my Lord, by their Residence, and from their Influence and Acquaintance, must be better able to promote this Service than Officers who are totally Strangers. And it cannot but prove a much more acceptable Measure to the Inhabitants of the Colonies in general, to see the military Commissions placed in such Hands, than to find them given to Persons who have no natural Connexion with the Country or People they are sent to defend. I have the Honour to be, with great Esteem, *My Lord*, 1756. *September* 24.

Your Lordship's most humble, and most obedient Servant,
R. CHARLES."

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1756, *P. M.*

BY the Returns of the Sheriffs of Seven Counties, it appears that the following Gentlemen were chosen to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.* *October* 14. *Post Meridiem*

For *Philadelphia* County.
Isaac Norris,
Joseph Fox,
Thomas Leech,
Daniel Roberdeau,
John Hughes,
John Baynton,
Joseph Galloway,
Richard Pearne.

For *Philadelphia* City.
Benjamin Franklin,
William Masters.

For *Bucks* County.
Griffith Owen,
Richard Walker,

For *Bucks* County.
Joseph Hamton,
Mahlon Kirkbride,
William Smith,
James Melvin,
William Hoge,
Gabriel Vanhorn.

For *Chester* County.
Joseph Gibbons,
Peter Dicks,
John Morton,
Roger Hunt,
George Ashbridge,
Hugh Trimble,
Nathaniel Pennock,
Nathaniel Grubb.

For *Lancaster* County.
Emanuel Carpenter,
James Wright,
James Webb,
John Douglass.

For *York* County.
David M'Connaughy,
John Wright.

For *Cumberland* County.
No Return made, but
William West appeared.

For *Berks* County.
Thomas Yorke.

For *Northampton* County.
William Allen.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That Mr. *Fox*, Mr. *Masters*, Mr. *Owen*, Mr. *Morton*, Mr. *Carpenter*, Mr. *John Wright* and Mr. *Yorke* wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Return of the Sheriff of the County of *Cumberland*, was brought to the House, by which it appeared, that *William Allen* and *William West* were chosen Representatives to serve in Assembly for the said County. *October* 15.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would be ready to receive the House this Morning, at Twelve o'Clock, in the Council Chamber.

A Message from the Governor, by Mr. Secretary:

S *I R*,

" The Governor requires the Attendance of the Speaker and the House, in the Coun-
" cil Chamber, immediately."

Then Mr. Speaker, with the whole House, waited upon the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker; and that the Governor was pleased to approve their Choice. That the Speaker had then in the Name and Behalf of the House claimed the usual Privileges, *viz.*

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

1756. That their Perſons may be protected from all Arreſts and Inſults, during the Time of Privilege accuſtomed.

October 15. That it would pleaſe the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the Houſe, until the ſame ſhall have paſſed into a Reſolve, nor give the leaſt Credit to ſuch Report. And laſtly,

That his own (the Speaker's) unwilling Miſtakes may be excuſed, and not imputed to the Houſe.

All which he had requeſted as the juſt Rights and Privileges of the Freemen of *Pennſylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleaſed to ſay, "That he ſhould ſupport the Houſe in them, or "any others they were entitled to."

Ordered, That the Clerk do prepare and bring to the Houſe, in the Afternoon, two Copies of the Qualification appointed by Law to be taken by the Members of Aſſembly, and the Teſt of Abjuration; one of which Copies to be in the Form allowed by Law to be taken by the People called *Quakers*.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Clerk, according to Order, brought to the Houſe two Copies of the Qualification, and Teſt of Abjuration; but the Time of Day, directed by Law, for the Qualification of Members of Aſſembly, being elapſed;

Adjournment The Houſe adjourned to Ten o'Clock To-morrow Morning.

October 16. The Qualification appointed by Law to be taken by Members of Aſſembly, and the Teſt of Abjuration, were taken and ſubſcribed, firſt by Mr. Speaker in the Chair, and then at the Table by all the reſt of the Members preſent in their Order.

Reſolved, That *William Franklin* be Clerk to this Houſe for the enſuing Year.

And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Serjeant at Arms to this Houſe for the enſuing Year.

Reſolved, That *David Edwards* be Door-keeper to this Houſe for the enſuing Year.

Mahlon Kirkbride, *William Hoge*, *Peter Dicks* and *Nathaniel Pennock*, returned Repreſentatives to ſerve in Aſſembly, requeſted Leave to reſign their Seats, for the Reaſons ſet forth in the following Paper, by them preſented to the Houſe, *viz.*

May it pleaſe the Speaker, and the Houſe of Repreſentatives,

Reſignation of four Members. UNDERSTANDING that the Miniſtry have requeſted the *Quakers*, who from the firſt Settlement of this Colony have been the Majority of the Aſſemblies of this Province, to ſuffer their Seats, during the difficult Situation of the Affairs of the Colonies, to be filled by Members of other Denominations, in ſuch Manner as to prepare, without any Scruples, all ſuch Laws as may be neceſſary to be enacted for the Defence of the Province in whatever Manner they may judge beſt ſuited to the Circumſtances of it; and notwithſtanding we think this has been pretty fully complied with at the laſt Election, yet, at the Requeſt of our Friends, being willing to take off all poſſible Objection, we who have (without any Solicitation on our Part) been returned as Repreſentatives in this Aſſembly, requeſt we may be excuſed, and ſuffered to withdraw ourſelves, and vacate our Seats in ſuch Manner as may be attended with the leaſt Trouble, and moſt ſatisfactory to this honourable Houſe.

MAHLON KIRKBRIDE, PETER DICKS,
WILLIAM HOGE, NATHANIEL PENNOCK.'

And the Houſe taking the foregoing Paper into Conſideration,

Reſolved, That the Requeſt of the ſaid Members be granted, and that their Seats be deemed vacant accordingly; and they are hereby diſabled from ſitting or ſerving in Aſſembly for the enſuing Year.

Ordered, That Mr. Speaker do iſſue his Order to the Provincial Secretary, requiring him to iſſue Writs to the Sheriffs of the Counties of *Bucks* and *Cheſter*, reſpectively, for electing other Perſons in the Room and Stead of the ſaid Members ſo diſabled from ſitting or ſerving in Aſſembly.

Mr. *Allen*, being returned a Repreſentative for the County of *Cumberland*, and alſo for the County of *Northampton*, was called upon by the Houſe to declare for which of the ſaid Counties he intended to ſerve; and having declared that he choſe to ſerve for the County of *Cumberland*, it was thereupon

Ordered, That Mr. Speaker do iſſue his Order to the Provincial Secretary, requiring him to iſſue a Writ to the Sheriff of the County of *Northampton*, for electing another Repreſentative in the Room and Stead of the ſaid *Allen*.

Adjournment Then the Houſe adjourned to next *Monday*, at Three o'Clock in the Afternoon.

October 18. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem *Ordered*, That Mr. *Leech* and Mr. *Franklin* be, with the Speaker, a Committee of Correſpondence.

Ordered,

1756. *October* 18.

Ordered, That Mr. *Fox*, Mr. *Franklin*, Mr. *Ashbridge*, Mr. *Carpenter* and Mr. *Yorke* be a Committee of Grievances for the ensuing Year; and they have Power to send for Persons, Papers, and Records.

Ordered, That Mr. *Fox*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Pearne*, Mr. *Hamton* and Mr. *Morton* be a Committee to audit and settle the Accounts of the General Loan-Office, and other Public Accounts; and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts; and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have Power to send for Persons, Papers and Records.

Ordered, That Mr. *Fox* and Mr. *Franklin* be a Committee to revise the Minutes before they are printed.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer of this Province for the ensuing Year.

Resolved, That *Robert Charles* and *Richard Patridge*, Esquires, be Joint-Agents for this Province, at the Court of *Great-Britain*, for the Year ensuing.

Ordered, That a Copy of the foregoing Resolve, appointing the said *Robert Charles* and *Richard Patridge* Agents to this Province, be sent to them duly certified under the Great Seal.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

October 19.

A Message from the Governor by the Secretary:

SIR,

"The Governor requires the Attendance of the Speaker and the House immediately, "in the Council Chamber."

Then Mr. Speaker, with the whole House, waited upon the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited upon the Governor, who was pleased to make a Speech to this House, a Copy of which he had delivered to the Speaker, and said, that the Papers referred to therein, should be immediately sent down to the House, by the Secretary.

The Governor's Speech was read at the Table, by Order, and follows in these Words, *viz.*

Mr. Speaker, and Gentlemen of the Assembly,

Governor's Speech.

'I AM sensible this is not the usual Time of the Year when you proceed upon Business, yet the several weighty Affairs which I have to lay before you, will admit of 'no Delay, and oblige me to desire you will take them into your immediate Consideration.

'Having received his Majesty's Commands, to take the most speedy and effectual 'Measures to hinder all Correspondence with the Subjects of the *French* King, and to 'prevent their being supplied, either by Land or Sea, with Provisions or Warlike Stores; 'and his Royal Pleasure being further signified by Lord *Loudon*, to lay a Prohibition on 'the Exportation of all Manner of Provisions, I therefore earnestly recommend to you 'to frame a Bill for an Embargo, under such Penalties as will render the same effectual.

'The King also demands your Assistance in various Matters, relating to the Forces 'which his Majesty has been graciously pleased to send over for the Protection of his '*American* Dominions, the Particulars whereof are specified in the Papers the Secretary 'will now deliver to you; and I cannot doubt your chearfully raising the Supplies ne'cessary for the Services required.

'By some late Intelligence, I understand the Enemy are preparing to attack this Pro'vince with a large Body of *French* and *Indians*; nor are we secure from Insults by Sea; 'and it may be absolutely necessary to take sudden Measures of Defence, which the 'Sum already granted will not enable us to do, as a considerable Part of it has been em'ployed to pay the Arrears due to the Troops, and other former Charges.

'On a mature Consideration of the present State of this Country, and from the many 'Applications for a general Defence, made to me in a late Journey to the Frontiers, I 'find a Militia Law is absolutely necessary, the late Act being repealed by his Majesty 'in Council. The Reasons that induced his Majesty to refuse his Assent to that Act, 'are fully set forth in the Reports of the Lords Commissioners of Trade, and a Com'mittee of his Majesty's most Honourable Privy Council, on which the Repeal is 'founded; I must therefore press you, in the warmest Terms, with all possible Dispatch, 'to frame a just and equitable Bill, not liable to the Objections that proved fatal to the 'former Law.

'In Consequence of a Treaty lately held at *Easton*, with the Deputies of the *Susque'hannah Indians*, their Chief is now on his Return with some of our unhappy People, 'not long since made Prisoners. As this Affair will occasion a considerable Expence, I 'desire you will provide for it accordingly.

'Gentlemen, let me entreat you to avoid all Disputes, raise such Supplies as are wanted 'in our present imminent Danger, and pay a ready Obedience to his Majesty's Com-

'mands;

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'mands; which is the leaſt Return you can make for his Royal Protection, and the 'great Expence the Mother Country is at for the Preſervation of theſe Colonies."

Mr. Secretary brought down to the Houſe, the ſeveral Papers referred to in the foregoing Speech; which were read, and the following were ordered to be entered on the Minutes of this Houſe, *viz.*

To the Right Honourable the Lords of the Committee of his MAJESTY's moſt Honourable PRIVY COUNCIL *for Plantation Affairs.*

My LORDS,

Report of the Board of Trade on a Petition, &c.

PURSUANT to your Lordſhips Order of the Twelfth of laſt Month, we have had under our Conſideration the Petition of ſundry of his Majeſty's dutiful and loyal Subjects, Inhabitants of the Province of *Pennſylvania*, in Behalf of themſelves and others, ſetting forth "the diſtreſſed and defenceleſs State of that Province; and humbly praying "that his Majeſty would graciouſly condeſcend to take their Condition under his wiſe "and princely Conſideration, which upon Enquiry will be found to be ſingularly diſtreſ-"ſing and grievous; and that his Majeſty would further be graciouſly pleaſed to inter-"poſe his Royal Authority that this important Province, ſituated in the Center of his "Majeſty's *American* Dominions, may be put into a Poſture of Defence;" and having been attended by Mr. *Paris*, Solicitor for the Petitioners, with Mr. *Yorke*, and Mr. *Forreſter*, his Counſel; and by Mr. *Joſhua Sharpe*, Solicitor in Behalf of the Aſſembly of *Pennſylvania*, with Mr. *Henly* and Mr. *Pratt*, his Counſel, and by the Agents for the ſaid Province, and ſeveral of the Perſons called *Quakers*, and heard what the reſpective Parties had to offer thereupon, we beg Leave to report to your Lordſhips:

That no Evidence has been laid before us, on the Part of the Petitioners, tending to prove the Facts ſet forth and alledged in their Petition; but as the defenceleſs State of the Province, ariſing from the Want of a proper Militia, and Forts and Places of Strength, has not been controverted by the Counſel for the Aſſembly; and as the Invaſion of the *French*, who have forcibly poſſeſſed themſelves of a Fort, built by his Majeſty's Subjects, within the actual Limits of this Province, and the Ravages and Devaſtations of the Savage *Indians* upon their Frontiers, are Facts well known to your Lordſhips, we apprehend your Lordſhips will not require ſuch legal Proofs of them as might be neceſſary upon a Queſtion of leſs public Concern and Notoriety.

This is not the firſt Complaints which his Majeſty's Subjects, Inhabitants of that Province, have made of the diſtreſſed State of it, ariſing from the Aſſembly's neglecting to make proper Proviſion by Law for putting it into a Poſture of Defence in Times of Danger and Hoſtility. A like Complaint was made to his Majeſty in the Year 1742; upon an Examination into which it did appear, that no Laws had ever been enacted in that Province for the Defence of it, for the building of Forts, for raiſing or training any Militia, or in general for providing againſt any Danger from without, either by *Indians*, Pirates, or other Enemies, as will more fully appear to your Lordſhips from the annexed Copy of a Report of this Board to the Lords of the Committee of Council on the Eighth of *July*, 1742.

The ſame Syſtem of Inaction, and Neglect of the Public Safety, has ever ſince prevailed and been purſued by the Aſſembly, notwithſtanding the many frequent Exhortations made to them from Time to Time by the Crown, by their Governors, and by their Fellow-Subjects, to provide for the Security and Defence of the Government.

The Reaſons urged by the Aſſembly in the Year 1742, in Juſtification of their Conduct, were, that by a Charter of Privileges, granted to them by the firſt Proprietor, and by their own Laws, they were exempted from military Service; that they had till then ſubſiſted without Forts or Militia; that being a peaceable People, they had not given Offence to their Neighbours; and as their Neighbours had never till then moleſted them, they apprehended they might ſubſiſt in Security without any military Force; and that in Caſe of any Emergency, the Proprietor was obliged, and, by his Charter, impowered, to defend them. But upon Enquiry and Examination it was found, that neither that Charter of Privileges, nor any Laws then exiſting, gave them ſuch Right of Exemption from military Service; and it was obſerved, that the Proprietor was no more obliged to be at the Expence of defending them, in Caſe of Emergency, than the Governors of any other Colonies, who had the like Power in their Commiſſions.

As the Counſel, however, for the Aſſembly, have again ſtrenuoſly inſiſted upon the Efficacy of the military Power given to Mr. *Penn* by his Charter, and the Obligation he is thereby under to provide for the Defence of the Province, it may be neceſſary to obſerve, that this Power, great as it is in Words, can have no Effect or Operation without the Aid and Concurrence of the Legiſlature, by enacting penal and compulſory Militia Laws, and by a proper and conſtitutional Appropriation of Money to military Purpoſes; and this Opinion is confirmed by the Practice and Uſage in all other Colonies, whether the Government be by Charter, or by Commiſſion from the Crown; in both which Caſes, notwithſtanding the Perſon intruſted with the Execution of Government has

has the same Power as the Proprietaries of *Pennsylvania*, yet no Militia could have been, or ever was, formed, or military Service executed, without an Act of the Legislature. 1756, October 19.

It has been indeed insisted upon by the Counsel for the Assembly, that the Proprietor has in the present Exigency received proper Aid and Support in the Exercise of the military Powers in his Charter from the Assembly, who have lately passed two Laws, the one for granting *Fifty-five Thousand Pounds* to the King's Use, the other for regulating such Persons as are willing and desirous to be united for military Purposes. These Laws your Lordships have been pleased to refer to us by a separate Order, together with several others passed there at the same Time, and therefore we shall make a separate Report to your Lordships upon them; but we think it our Duty at present to trouble your Lordships with some short Observations, because upon the Merit or Demerit of these Laws, the Force or Weakness of the Arguments which have been attempted to be drawn from them will, in your Lordships Judgment, in great Measure depend.

By the first of these Laws, the Money thereby to be raised is to be placed in the Hands of a Committee of the Assembly, to be applied by them "for supplying friendly *Indians*, holding of Treaties, relieving distressed Settlers, who have been driven from their Lands, and other Purposes for the King's Use;" but not a Word is said of military Service; and though it has been argued, that the Words, *other Purposes*, will admit of such a Construction and Application, yet when it is considered, that the Committee, which has the sole Power and Direction of this Money, is Part of, and constituted by, an Assembly, principled against military Service, there is little Room to hope they will put such a Construction upon these Words.

As to the other Law, it is in every Respect the most improper and inadequate to the Service which could have been framed and passed, and is rather calculated to exempt Persons from military Services, than to encourage and promote them. No Methods are prescribed for compelling Persons by proper Penalties to associate in Defence of their Country, or for obliging those who are conscientiously scrupulous of bearing Arms themselves to find others in their Stead, or to provide for such as might, by the executive Power, be found ready and willing to enlist. The whole is voluntary, both in respect of Enlistment, and of the Subsistence of those who shall be inlisted; the Officers are to be elected by Ballot, and no Provision is made for that Subordination, without which, all Bodies of People, associated for military Purposes, would be absolutely useless: But these are not the only defective and mischievous Provisions of this Law, for it is enacted, that no Person under Twenty-one Years of Age should be enlisted; by which Means many able bodied Men, fit for the Service of their Country as Soldiers, would be excluded; and that no Regiment, Company or Party, shall be compelled or led more than three Days March beyond the inhabited Parts of the Province, nor be detained against their Wills longer than three Weeks in any Garrison, let the Necessity of the Case be what it will; a Proviso, which, instead of rendering this Militia effectual to the Purposes of Defence, may be the Means of encouraging Desertions, and of sacrificing such of the King's Troops as may happen to be joined with them in the same Service. But were the Provisions of this Act ever so good and proper, yet little Advantage or Benefit could be hoped for from a Law, in the Preamble of which it is declared, that the Majority of the Assembly, which is in Effect the governing Part of that Province in which it is to operate, and from whom his Majesty's Subjects ought to receive Support and Protection, are principled against bearing Arms; and that the making a Law to compel Persons thereto, would be to violate a Fundamental of the Constitution, and be a direct Breach of the Privileges of the People.

Upon the whole, we are humbly of Opinion, that the Legislature of every Country is in Duty bound, by the original Constitution, Frame and Compact of Government, to support and defend that Government, and those who are subject to it; that the Assembly of *Pennsylvania* is in no Degree exempted from this general Law of Nature and Society, but, on the contrary, is obliged by the Charter to the Proprietors to aid and assist them in the Execution of the Powers given to them by that Charter, which cannot be carried into Execution without such Aid and Assistance; that the Measures alleged by the Assembly to be intended for this Purpose are improper, inadequate and ineffectual; and that there is no Reason to hope that proper or effectual Measures will be taken, while the Majority of the Assembly consists of Persons whose avowed Principles are against military Services, however necessary for the Security and Defence of Government, who have declared by public Acts, that it is a Violation of a Fundamental of the Constitution, and a direct Breach of Privilege, to compel Persons to bear Arms, or to find or provide for such as will do military Service in their Stead, and who, though not a sixth Part of the Inhabitants of the Province, are yet, contrary to the Principles, the Policy and the Practice of the Mother Country, admitted to hold Offices of Trust and Profit, and sit in the Assembly, without their Allegiance being secured to the Government by the Sanction of an Oath; and therefore we see no Remedy to the Evils so justly complained of by

1756. October 19. the Petitioners, unleſs by the Interpoſition of an Act of the *Britiſh* Legiſlature, agreeable to the Opinion of his Majeſty's Attorney and Solicitor General, when the defenceleſs State of this Province was under your Lordſhips Conſideration upon a Report from this Board on the Seventh of *November*, 1744, a Copy of which is hereunto annexed. We are, My Lords,

Your Lordſhips moſt obedient, and moſt humble Servants,

Whitehall, DUNK HALIFAX, SOAME JENYNS,
March 3, 1756. J. TALBOT, RICHARD RIGBY."

To the Right Honourable the Lords of the Committee of his MAJESTY's moſt honourable PRIVY COUNCIL, *for Plantation Affairs.*

My LORDS,

Report of the Board of Trade, upon ſeven Acts.

WE have had under our Conſideration *ſeven* Acts, paſſed in the Province of *Pennſylvania*, in the Months of *April*, *June*, *Auguſt*, *September* and *November*, 1755, referred to us by your Lordſhips Orders of the Nineteenth of *January*, and Twelfth of *February*, 1756.

We have alſo conſulted Sir *Matthew Lamb*, one of his Majeſty's Council, upon the ſaid Acts, who has no Objection in Point of Law to either of the Three following; and as no Objection appears to us againſt them, we beg Leave to lay them before your Lordſhips, as fit to receive his Majeſty's Approbation.

" *An Act to continue an Act to prevent the Exportation of Proviſions, naval or warlike* " *Stores, from this Province to* Cape-Breton, *or to any other Dominions of the* French " *King, or Places at preſent in the Poſſeſſion of any of his Subjects.*"

" *An Act for ſtriking the Sum of* Ten Thouſand Pounds *in Bills of Credit, to exchange* " *ſuch of thoſe, now by Law current, within this Province, as are torn and defaced.*"

" *An Act to continue an Act, entituled, An Act for directing the Choice of Inſpectors in* " *the Counties of* Cheſter, Lancaſter, York, Cumberland, Berks *and* Northampton."

The following Act, paſſed the Fifth Day of *April*, 1755, entituled, " *An Act to pre-* " *vent the Exportation of Proviſions, naval or warlike Stores, from this Province to* Cape- " Breton, *or to any other the Dominions of the* French *King, or Places at preſent in Poſ-* " *ſeſſion of any of his Subjects,*" having been enacted for one Year only, is now expired.

With reſpect to the following Act, entituled, " *An Act for granting the Sum of* Six- " ty Thouſand Pounds *to the King's Uſe, and for ſtriking* Fifty-five Thouſand Pounds " *thereof in Bills of Credit, and to provide a Fund for ſinking the ſame;*" we beg Leave to acquaint your Lordſhips, that ſince our Report, dated the Third of *March* laſt, in which we ſtated to your Lordſhips certain Objections to ſuch Terms and Proviſions of this Act as gave us great Room to doubt, whether any Part of the Money thereby to be raiſed would be effectually applied to Purpoſes of Defence, we have been well informed, that Numbers of Men have been levied in *Pennſylvania*, and that Forts are now building in that Province: For theſe Reaſons, and becauſe the Act eſtabliſhes a Fund for ſinking the Bills of Credit to be thereby emitted within ſo ſhort and reaſonable a Period as four Years, we are of Opinion, that his Majeſty may be graciouſly pleaſed to approve and confirm it.

The following Act, entituled, " *An Act for extending ſo much of an Act of Parliament,* " *entituled, An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the* " *Army and their Quarters, paſſed in the Twenty-eighth Year of the preſent Reign, as re-* " *lates to the Quartering and Billeting of Soldiers, and Payment of their Quarters, in that* " *Part of* Great-Britain *called* England," appearing to us to be of an extraordinary and unuſual Nature, we thought it our Duty to refer it to his Majeſty's Attorney General, who has reported to us as his Opinion, " That it is not adviſeable for his Majeſty to ap- " prove thereof; that the Tendency of this Act muſt unavoidably be to cramp the pub- " lic Service, and obſtruct the Defence of the Province; that it aſſumes Propoſitions, " true in the Mother Country, and rightly aſſerted in the Reigns of CHARLES the Firſt, " and CHARLES the Second, in Times of Peace, and when Soldiers were kept up, with- " out Conſent of Parliament; but that the Application of ſuch Propoſitions to a Co- " lony, in Time of War, in the Caſe of Troops, raiſed for their Protection by the Au- " thority of the Parliament of *Great-Britain*, made the firſt time by an Aſſembly, many " of whom plead what they call Conſcience, for not making or aſſiſting military Opera- " tions to reſiſt the Enemy, ſhould not be allowed to ſtand as Law."

With reſpect to the Act paſſed in *November*, 1755, and entituled, " *An Act for the* " *better ordering and regulating ſuch as are willing and deſirous to be united for military* " *Purpoſes within this Province;*" it is in every Reſpect the moſt improper and inadequate to the Service which could have been framed and paſſed, and ſeems rather calculated to exempt Perſons from military Service, than to encourage and promote them. No Methods are preſcribed for compelling Perſons, by proper Penalties, to aſſociate in Defence of their Country, or for obliging thoſe who are conſcientiouſly ſcrupulous of

bearing

bearing Arms themselves to find others in their Stead, or to provide for such as might, by the executive Power, be found ready and willing to enlist: The Whole, both in respect of Enlistment, and of the Subsistence of those who may be enlisted, is voluntary; the Officers are to be elected by Ballot, and no Provision is made for that due Subordination, without which, all Bodies of Men associated for military Purposes would be absolutely useless. But these are not the only defective and mischievous Provisions of this Act; for it is enacted, that no Person under Twenty-one Years of Age shall be enlisted, by which Means, many able bodied Men, fit for the Service of their Country, as Soldiers, would be excluded; and that no Regiment, Company or Party, shall be compelled or led more than three Days March beyond the inhabited Parts of the Province, nor be detained against their Wills longer than three Weeks in any Garrison, let the Necessity of the Case be what it will; a Proviso which, instead of rendering this Militia effectual to the Purposes of Defence, may be the Means of encouraging Desertion, and of sacrificing such of the King's Troops as may happen to be joined with them in the same Service. But were the Provisions of this Act ever so good and proper, yet little Advantage or Benefit could be hoped for from a Law, in the Preamble of which it is declared, that the Majority of the Assembly, which is in Effect the governing Part of the Province in which it is to operate, and from whom his Majesty's Subjects ought to receive Support and Protection, are principled against bearing Arms; and that the Making a Law to compel Persons thereto, would be to violate a Fundamental of the Constitution, and be a direct Breach of the Privileges of the People: We are therefore of Opinion, that this Act should receive his Majesty's Disallowance. We are, My Lords,

1756. October 19.

Your Lordships most obedient, and most humble Servants,

Whitehall,
April 15, 1756.

DUNK HALIFAX, SOAME JENYNS,
JAMES OSWALD, RICHARD RIGBY."

At the COUNCIL-CHAMBER, Whitehall, *the 24th of* June. 1756.

By the Right Honourable the LORDS *of the Committee of* COUNCIL *for Plantation Affairs.*

YOUR Majesty having been pleased, by Your Order in Council of the Eleventh of *February* last, to refer unto this Committee two Acts passed in the Province of *Pennsylvania* in *August* and *November*, 1755, the Lords of the Committee did, on the Twelfth of *February* last, take the said Acts into their Consideration, and thought proper to transmit the same to the Lords Commissioners for Trade and Plantations, for their Opinion thereupon, who have reported to this Committee, "That they have consideerd the same, "and that the following Act, entituled, *An Act for extending so much of an Act of Par-* "*liament, entituled, An Act for punishing Mutiny and Desertion, and for the better Pay-* "*ment of the Army and their Quarters, passed in the Twenty-eighth Year of the present* "*Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quar-* "*ters in that Part of* Great-Britain *called* England; appearing to them to be of an ex- "traordinary and unusual Nature, they thought it their Duty to refer it to Your Ma- "jesty's Attorney-General, who hath reported to them, as his Opinion, that it is not "adviseable for Your Majesty to approve thereof: That the Tendency of this Act must "unavoidably be to cramp the public Service, and obstruct the Defence of the Pro- "vince: That it assumes Propositions true in the Mother Country, and rightly asserted "in the Reigns of CHARLES the First, and CHARLES the Second, in Times of Peace, "when Soldiers were kept up without Consent of Parliament; but that the Application "of such Propositions to a Colony in Time of War, in the Case of Troops raised for "their Protection by the Authority of the Parliament of *Great-Britain*, made the first "Time by an Assembly, many of whom plead what they call Conscience for not making "or assisting military Operations to resist the Enemy, should not be allowed to stand as "Law.

Report of the Lords of the Committee for repealing two Acts.

"And with respect to the Act passed in *November*, 1755, entituled, *An Act for the* "*better ordering and regulating such as are willing and desirous to be united for military Pur-* "*poses within this Province*; the said Lords Commissioners have reported, that it is in "every Respect the most improper and inadequate to the Service which could have been "framed and passed, and seems rather calculated to exempt Persons from military Ser- "vices, than to encourage and promote them. No Methods are prescribed for com- "pelling Persons, by proper Penalties, to associate in Defence of their Country, or for "obliging those, who are conscientiously scrupulous of bearing Arms themselves, to find "others in their Stead, or to provide for such as might, by the executive Power, be "found ready and willing to enlist. The Whole, both in respect of Enlistment, and "of the Subsistence of those who may be enlisted, is voluntary: The Officers are to be "elected by Ballot, and no Provision is made for that due Subordination, without which "all Bodies of Men, associated for military Purposes, would be absolutely useless. But "that these are not the only defective and mischievous Provisions of this Act; for it is

"enacted,

1756. October 19.

" enacted, that no Perſon under Twenty-one Years of Age ſhall be enliſted, by which " Means many able bodied Men, fit for the Service of their Country, as Soldiers, would " be excluded; and that no Regiment, Company or Party, ſhall be compelled, or led, " more than three Days March beyond the inhabited Parts of the Province, nor be de- " tained againſt their Wills, longer than three Weeks, in any Garriſon, let the Neceſ- " ſity of the Caſe be what it will. A Proviſo, which, inſtead of rendering this Mi- " litia effectual to the Purpoſes of Defence, may be the Means of encouraging Deſer- " tion and of ſacrificing ſuch of your Majeſty's Troops as may happen to be joined with " them in the ſame Service. But were the Proviſions of this Act ever ſo good and pro- " per, yet little Advantage or Benefit could be hoped for from a Law, in the Preamble " of which it is declared, that the Majority of the Aſſembly, which is in effect the go- " verning Part of the Province in which it is to operate, and from whom your Ma- " jeſty's Subjects ought to receive Support and Protection, are principled againſt bear- " ing Arms; and that the making a Law to compel Perſons thereto, would be to vio- " late a Fundamental of the Conſtitution, and be a direct Breach of the Privileges of the " People. The ſaid Lords Commiſſioners were therefore of Opinion, that this Act " ſhould receive your Majeſty's Diſallowance."

Upon Conſideration whereof, the Lords of the Committee do agree humbly to report as their Opinion to your Majeſty, that both the ſaid Acts ought to be repealed.

A true Copy. W. SHARPE.

At the COURT *at* Kenſington, *the 7th Day of* July, 1756.

PRESENT,

The KING's moſt Excellent MAJESTY.

Lord Preſident,	Lord *Berkeley*, of *Stratton*,
Lord Privy Seal,	Lord *Raymond*,
Duke of *Devonſhire*,	Lord *Edgecumbe*,
Earl of *Holderneſſe*,	Lord *Anſon*,
Earl of *Rochford*,	Mr. Secretary *Fox*,
Earl of *Buckinghamſhire*,	Sir *Thomas Robinſon*.
Lord *Delawarr*,	

His Majeſty's Repeal of two Laws.

WHEREAS in Purſuance of the Powers granted to the Proprietaries of the Province of *Pennſylvania*, by Letters Patent, under the Great Seal, the Deputy Governor, Council and Aſſembly of the ſaid Province, did in *Auguſt* and *November*, 1755, paſs two Acts, which have been tranſmitted, and are entituled as follow, *viz.*

" An Act for extending ſo much of an Act of Parliament, entituled, *An Act for pu-* " *niſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quar-* " *ters*, paſſed in the Twenty-eighth Year of the preſent Reign, as relates to the Quarter- " ing and Billeting of Soldiers, and Payment of their Quarters, in that Part of *Great-* " *Britain* called *England*."

" An Act for the better ordering and regulating ſuch as are willing and deſirous to be " united for military Purpoſes within this Province."

His Majeſty this Day took the ſaid Acts into his Royal Conſideration, and having received the Opinion of the Lords Commiſſioners for Trade and Plantations, and alſo of a Committee of the Lords of his Majeſty's moſt Honourable Privy Council thereupon, is hereby pleaſed to declare his Diſallowance of the ſaid Acts. And purſuant to his Majeſty's Royal Pleaſure thereupon expreſſed, the ſaid Acts are hereby repealed, declared void, and of none Effect. Whereof the Deputy Governor, Council and Aſſembly of the ſaid Province, and all others whom it may concern, are to take Notice, and govern themſelves accordingly.

W. SHARPE."

GEORGE R.

Additional INSTRUCTION *to Our truſty and well-beloved* WILLIAM DENNY, *Eſq*; *Deputy-Governor of Our Province of* Pennſylvania, *in* America; *or to the Commander in Chief of Our ſaid Province for the Time being. Given at our Court at* Kenſington, *the Fifth Day of* July, 1756, *in the Thirtieth Year of Our Reign.*

Royal Inſtruction concerning the Exportation of Proviſions, &c to the *French*.

WHEREAS by Our Declaration, dated the Seventeenth Day of *May* laſt, we have thought fit to declare War againſt the *French* King, his Subjects and Vaſſals: And whereas we have been informed, that heretofore, in Times of War, our Subjects in ſeveral of our Colonies and Plantations in *America*, have correſponded with our Enemies, and ſupplied them with Proviſions and Warlike Stores, whereby our Service has been greatly prejudiced, and the Safety of our Dominions endangered: It is therefore our expreſs Will and Pleaſure, that you do take the moſt ſpeedy and effectual Meaſures to hinder

hinder all Correspondence between any of our Subjects inhabiting our Province of *Pennsylvania*, under your Government, and the Subjects of the said *French* King, and to prevent any of the Colonies or Plantations belonging to our Enemies, or other Places possessed by them in *America*, being supplied either by Land or by Sea, from our said Province, under your Government, with Provisions or warlike Stores of any Kind. 1756. *October* 19.

And in Case you shall find it necessary to have an Act passed for the Purposes abovementioned, you are earnestly to recommend it in our Name to the Legislature of our said Province, to prepare and pass such Act.

G. R."

SIR, *Albany*, *September* 22, 1756.

I HAD since my Arrival, prior to your entering upon the Administration, received two Letters from Governor *Morris*. He gives me an Account of a Treaty or Conference he had held at *Bethlehem*, with some *Indians* living on the East Branch of the *Susquehannah*. I had been apprized before, by Sir *William Johnson*, of the Invitation given by the Governor and Government of *Pennsylvania* to this Treaty. I must here answer in general, and once for all, that his Majesty having entirely taken out of the Hands of the Governments and Governors, all Right to treat with, confer, or make War or Peace, with the *Five Nations*, or any of their Allies or Dependents; and having reposed this Trust wholly and solely in the Hands of Sir *William Johnson*, his sole Agent for these Affairs, under my Direction; I do hereby for the future forbid you, or your Government, from conferring or treating with these *Indians*, in any Shape, or on any Account whatever; and I do direct, that whatever Business in that Branch of his Majesty's Service shall arise to your Government or Province, you do refer it, and put it into the Hands of his Majesty's sole Agent, who will, according to the Powers with which he is invested, negociate and settle such Matters in the Way his Majesty has directed. I do not at all enter into the Merits of this Affair, because these have been considered by his Majesty, and what I now direct is by his Majesty's Order thereupon. Letter from Lord *Loudon* to the Governor.

After the wise Steps Sir *Charles Hardy* had taken, in concerting with Governor *Morris*, and the other Governors, an Embargo on the Exportation of Provisions, I cannot but express my Sorrow to find the Effects frustrated, by Governor *Morris* suffering himself to be advised by his Council to discontinue it. However, I have wrote to your Government, as well as the others, in the strongest Terms, requiring them, as I am commanded by his Majesty, to lay and continue an Embargo on Provisions. This Letter you will have received, and cannot make the least Doubt of your Compliance therewith.

As his Majesty is graciously pleased to support and send over to these Parts of his Dominions, for the Defence of the good People of *North-America*, so large a Body of Troops;——and as so great a Part of the Expence and Charge is borne by the Mother Country, it is proper you distinctly and precisely understand what his Majesty requires, and the Mother Country expects, on your Part.

First, That each Province and Colony respectively and separately do provide for all such Charges as arise from furnishing Quarters, and Necessaries allowed in Quarters by Act of Parliament, in furnishing Carriages, Sloops, and all other necessary Means of Conveyance for his Majesty's Troops, whenever such Troops be stationed within, or shall be marching through, such Province or Colony: These Charges being peculiarly local, and arising within the Province.

Secondly, That a general Fund be established in *North-America*, by Monies raised in all the Colonies collectively, to be issued and applied for such Articles of a general Concern, as come properly under the general Service, in such Manner as the Commander in Chief shall direct. And that each Province and Colony do accordingly appropriate to this general Service, such Sums as shall be raised for his Majesty's Use in the Defence of the Colonies.

One Article of which general Service his Majesty is pleased to specify to be, the making Provision for the Enlisting-Money of such Levies of Men as his Majesty has directed to be raised in *North-America* for your Defence; as also for reimbursing the Masters of such indented Servants as shall be legally inlisted in his Majesty's Service, according to an Act of Parliament passed this last Sessions.

I do therefore, as I am directed by his Majesty's Commands, demand of your Province in the above Matters. And as his Majesty is at present graciously pleased to make such Allowance towards victualing his Troops, as must greatly remove all Difficulty of Quartering as to that Article, I must expect, that in the Article of Lodging, and such other Necessaries as are furnished in Quarters in *Great-Britain* in Time of War, your Province will more chearfully make full and sufficient Provision. I must therefore beg of you, that you will acquaint the People of your Province, that when I shall have Occasion to put his Majesty's Troops into Quarters, that I do and must expect to find such as are necessary in your Province. As also, that whenever I shall have Occasion to march or send any Body or Party of Troops through your Province, I must expect that they be

1756. furniſhed with all neceſſary Means of Conveyance. The providing all which in ſuch Manner as may be moſt convenient, and leaſt burdenſome to the Province, the Legiſlature thereof will I hope conſider of.

October 19.

As to the Application I received from you, and the ſeveral Governors of the other Provinces, for particular Aſſiſtance, confined to the Frontiers of each reſpective Province, I muſt give one general Anſwer, that neither the State of the Service, nor the Number of Troops I can collect, renders ſuch Meaſures proper, or, indeed, poſſible: Defend yourſelves againſt the little flying Parties of the Enemy; take Poſt where that Defence can be beſt maintained; and, by ſending me Recruits of Men, enable me to act againſt the Body of the Enemy's Force where they are collected, and, by Divine Aſſiſtance, we may ſecure and maintain his Majeſty's Dominions, and fully protect his good People of *North-America*. I have the Honour to be, with great Regard, *Sir*,

Your moſt obedient humble Servant,

LOUDON.

P. S. I am to ſit down, as ſoon as I can find Time, to write you a very long Letter on ſeveral Subjects not mentioned in this public Letter, which I imagine will be of uſe to the public Service, and I dare ſay you will approve of."

The Rules uſually obſerved by the Aſſemblies of this Province (printed in the Minutes of 1704,) with the two additional Rules made by the laſt Aſſembly, being read, were agreed to be obſerved by this Houſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor's Speech was again read, with ſeveral of the Papers therein referred to; and, after ſome Time ſpent in Conſideration thereof, the ſame was referred to farther Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 20. The Houſe reſumed the Conſideration of the Governor's Speech; and, after ſome Time ſpent therein,

Ordered, That Mr. *Galloway*, Mr. *Maſters*, Mr. *Walker*, Mr. *Aſhbridge*, Mr. *Douglas*, Mr. *John Wright*, Mr. *Weſt* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for prohibiting the Exportation of Proviſions, naval or warlike Stores, from this Province to the *French*.

Mr. Speaker laid before the Houſe, a Copy of his Order to the Provincial Secretary for iſſuing Writs for a new Election of five Members of Aſſembly, in the Room of thoſe who had reſigned; alſo a Letter he received from the Secretary on that Head; and informed the Houſe, that he had ſent the Secretary a Copy of the Minute of the Houſe, containing the Reaſons for iſſuing the ſaid Order.

And the ſaid Order and Letter were read, and are as follow, *viz.*

Pennſylvania, ſſ.

Speaker's Order to the Secretary, &c. BY a Reſolve of this Aſſembly, on the Sixteenth Inſtant, I am impowered and directed to order the Provincial Secretary, that he do iſſue a Writ to the Sheriff of the County of *Bucks* for the Election of two Members to ſerve as Repreſentatives in this Aſſembly for the ſaid County of *Bucks*, in the Room and Stead of *Mahlon Kirkbride* and *William Hoge*, Eſquires; and one other Writ to the Sheriff of *Cheſter* County, for the Election of two Members to ſerve as Repreſentatives in this Aſſembly for the ſaid County of *Cheſter*, in the Room and Stead of *Peter Dicks* and *Nathaniel Pennock*, Eſquires; and likewiſe one other Writ to the Sheriff of *Northampton* County, for the Election of one Member to ſerve as a Repreſentative in this Aſſembly for the ſaid County of *Northampton*, in the Room and Stead of *William Allen*, Eſquire: Therefore, by Virtue of the ſaid Reſolve, and in Purſuance of an Act of Aſſembly of this Province in that Caſe made and provided, I do require that Writs be iſſued to the Sheriffs of the ſaid reſpective Counties for the Purpoſes aforeſaid, according to the Directions of the ſaid Law. Dated at *Philadelphia*, the Eighteenth Day of *October*, *A. D.* 1756.

ISAAC NORRIS, *Speaker.*

To Richard Peters, *Eſq*; *Provincial Secretary.*"

SIR, *October* 19, 1756.

Letter from the Secretary to the Speaker. ON Receipt of your Order, requiring me to iſſue a Writ to the Sheriff of the County of *Bucks*, for the Election of two Members to ſerve as Repreſentatives in this Aſſembly for the ſaid County of *Bucks*; in the Room and Stead of *Mahlon Kirkbride* and *William Hoge*, Eſquires; and one other Writ to the Sheriff of *Cheſter* County, for the Election of two Members to ſerve as Repreſentatives in this Aſſembly for the ſaid County of *Cheſter*, in the Room and Stead of *Peter Dicks* and *Nathaniel Pennock*, Eſquires; and likewiſe one other Writ to the Sheriff of *Northampton* County, for the Election of a Member to ſerve as a Repreſentative in this Aſſembly, for the ſaid County of *Northampton*, in the Room and Stead of *William Allen*, Eſq; I laid the Order before the Governor,

vernor, who commands me to inform you, that as it appears to him, by the Returns of the proper Officers, the Gentlemen, mentioned in your Order, were duly elected Representatives of the People in the Counties of *Bucks*, *Chester* and *Northampton*, he ought to be made acquainted, either by a Copy of the Resolve of the House, or Reasons assigned by you, in your Order, by what Means they have been deprived of their Rights to sit and vote as Members of Assembly in your House, previous to my issuing Writs for new Elections. 1756. *October* 20.

As soon as you shall be pleased to give Satisfaction to his Honour in this Point, I shall be ready to yield immediate Obedience to your Order; and am, very respectfully, *Sir*,

Your most obedient humble Servant,

To the Honourable Isaac Norris, *Esq*;
Speaker of the Assembly. RICHARD PETERS."

A Petition from *Michael Lovell*, *Archibald Hillhouse*, *James Stevenson* and *Charles Williams*, late Inhabitants of *Antigua*, but now resident in the City of *Philadelphia*, was presented to the House and read, setting forth, that it being generally reported that an Embargo is proposed to be laid on Provisions for a considerable Space of Time, and the Petitioners apprehending that the State of the Sugar Islands is not perfectly known here, particularly that of the Island of *Antigua*, in which they have either Families, Relations, or Negroes; they beg Leave, therefore, humbly to remonstrate, that the said Island of *Antigua* doth not contain Seventy Thousand Acres of Land, all the fertile Part of which is employed in the Cultivation of the Sugar Cane only; that the said Island contains above Thirty-five Thousand Inhabitants; that the Support of the said Inhabitants, with Grain, and all the Species of Bread Kind, depends principally on their Supplies from *North-America*; that if at this Time a very long Embargo should ensue, the numerous Inhabitants would be in Danger of perishing for Want of those Supplies, and his Majesty's Government in that Island very much distressed; the Petitioners therefore pray, that this House will take the Premises into their serious Consideration, and do therein what their Wisdom and Prudence shall direct. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House again resumed the Consideration of the Governor's Speech; and, after some Time spent therein, the same was referred to farther Consideration. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare a Draught of a Bill for prohibiting a Trade with the *French*, reported, that they had made some Progress therein, but not having compleated the same, desired farther Time for that Purpose; which was granted by the House accordingly. *October* 21.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Bill to prevent the Exportation of Provisions, naval or Warlike Stores, from this Province to any of the Dominions of the *French* King, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading. *Post Meridiem*

The House again resumed the Consideration of the Governor's Speech; and, after some Time spent therein,

Ordered, That Mr. *Hughes*, Mr. *Franklin*, Mr. *Owen*, Mr. *Grubb*, Mr. *James Wright*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for regulating the Hire of Carriages, *&c.* for the King's Service, within this Province.

Ordered, That the Clerk do call upon the Treasurer, and enquire whether he has received from the Secretary an Account of the Licences granted for Public Houses; and if he has, to require the same to be laid before the House.

Ordered, That Mr. *Smith*, Mr. *John Wright* and Mr. *West* be added to the Committee of Grievances for the ensuing Year; and that the said Committee cause an Advertisement to be published, requiring the People who have had their Servants enlisted in the King's Service, to send them an Account of the Cost of the said Servants, the Time they had to serve when enlisted, *&c.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Governor's Speech; and, after some Time spent therein, *October* 22.

Ordered, That Mr. *Baynton*, Mr. *Franklin*, Mr. *Walker*, Mr. *Hunt*, Mr. *Douglas*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for quartering and billeting of Soldiers within this Province.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House again resumed the Consideration of the Governor's Speech; and after some Time spent therein, the same was referred to farther Consideration. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House again went upon the Consideration of the Governor's Speech; and, after some Time spent therein, *October* 23.

Resolved,

1756. *October* 23. *Reſolved*, That it be recommended to the Commiſſioners for diſpoſing of the *Thirty Thouſand Pounds* lately granted to the King's Uſe, to make Proviſion for defraying the Expence mentioned in the ſaid Speech as likely to accrue upon the *Indians* coming down to *Eaſton*.

Adjournment *October* 25. *Poſt Meridiem* Then the Houſe adjourned to *Monday* next, at Three o'Clock in the Afternoon.

The Houſe met, purſuant to their Adjournment.

The Governor, by Mr. Secretary, ſent down to the Houſe a Meſſage in Writing, together with ſundry Papers therein referred to, which were read, and conſidered, and the Meſſage is as follows:

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. 'I LAY before you Accounts of ſome very late Murders committed on the Borders, even on the Eaſt Side of *Suſquehannah*; and a Petition from the neighbouring Inhabitants, praying further Aſſiſtance for their Protection.

'I have likewiſe received additional Intelligence from *Shamokin*, which makes it very probable that ſeveral large Parties of *French* and *Indians* are now on their March againſt different Parts of the Frontiers.

'Theſe Advices make me more and more ſenſible of the Neceſſity of a Militia Law, which I have ſo earneſtly recommended to you, and hope to have the Pleaſure of hearing you have made a conſiderable Progreſs in it.

'The *Indians* now in Town have again applied to me to be ſent into the Country; be pleaſed therefore to come to a Determination how to diſpoſe of them, either in the Manor of *Pennſbury*, or elſewhere.

October 25, 1756. *WILLIAM DENNY.*"

Adjournment *October* 26. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Governor's Meſſage was again read, and conſidered; and, after ſome Time ſpent therein,

Ordered, That Mr. *Hughes*, Mr, *Franklin*, Mr. *James Wright* and Mr. *Allen* be a Committee to confer with the Governor concerning the moſt proper Manner of diſpoſing of the *Indians* now in Town.

Ordered, That Mr. *Galloway* and Mr. *Yorke* wait upon the Governor, and acquaint him, that the Houſe deſire to know whether he has made any Eſtimate of the Supplies neceſſary to be granted at this Time, in Addition to thoſe granted by the late Aſſembly, for the Defence of this Province; if not, that he would be pleaſed to cauſe the ſame to be made as ſoon as poſſible, and laid before the Houſe for their Conſideration.

The Gentlemen return, and report, that they had waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he was not at preſent provided with any Eſtimates that would be of Service to the Houſe in their Conſideration of the Supplies that are wanted; but that Mr. *Young*, the Pay-maſter, and an Engineer, were now on the Frontiers, and on their Return, which he expected would be in a few Days, he ſhould receive a true State of the Condition of ſeveral Forts, and other Parts of the Frontiers, by which Means he ſhould have it in his Power to lay before the Houſe proper Eſtimates of the Supplies neceſſary to be raiſed at this Time.

The Houſe went upon the Reading of the Militia Laws of the other Colonies; and, after a conſiderable Time ſpent therein,

Adjournment *Poſt Meridiem* The Houſe adjourned to Three o'Clock, *P. M.*

The Houſe reſumed the Conſideration of that Part of the Governor's Speech which relates to a Militia Law; and, after ſome Time ſpent therein, and in reading of ſundry of the Militia Laws of the neighbouring Colonies, the ſame was referred to farther Conſideration till To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 27. A Return of the Sheriff of the County of *Bucks* was brought to the Houſe, by which it appeared, that *John Abraham Denormandie* and *Thomas Blackledge*, were choſen on the Twenty-fifth Inſtant, to ſerve in Aſſembly, in the Room of *Mahlon Kirkbride* and *William Hoge*, who reſigned.

The Sheriff of the County of *Bucks* having neglected to deliver or ſend to the Houſe the Conſtables Returns, and Liſts of Electors, as he is by Law directed to do, M. *Hamton*, one of the Members for ſaid County, undertook to acquaint the Sheriff of his Neglect of Duty as aforeſaid, and to cauſe the ſaid Returns, *&c.* to be ſent to the Houſe as ſoon as poſſible.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem *Ordered*, That Mr. *Carpenter*, Mr. *M'Connaughy* and Mr. *John Wright* have Leave to be abſent the Remainder of this Week on urgent Buſineſs.

The Houſe again reſumed the Conſideration of that Part of the Governor's Speech which

which relates to a Militia Law; and, after some Time spent in reading sundry of the Militia Laws of the neighbouring Colonies, the same was referred to farther Consideration. 1756. October 27.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment October 28.

John Abraham Denormandie, returned a Representative for the County of *Bucks*, appearing in the House, took and subscribed the Qualification appointed by Law to be taken by the Members of Assembly, and the Oath of Abjuration, and then took his Seat in the House accordingly.

Mr. *Franklin*, by the Leave of the House, brought in a Bill for regulating the Forces in the Pay of this Province, which was read the first time, and ordered a second Reading.

The House again resumed the Consideration of that Part of the Governor's Speech relating to a Militia Law; and, after some Time spent therein, the same was referred to farther Consideration.

The following Remonstrance, from *William Griffitts*, of the City of *Philadelphia*, was presented to the House, and read, *viz.*

To the REPRESENTATIVES of the Freemen of the Province of *Pennsylvania*, in General-Assembly met,

The *REMONSTRANCE of* William Griffitts, *one of the Commissioners by Act of Assembly appointed to dispose of the* French *Neutrals imported into this Province from* Nova-Scotia.

SHEWETH,

THAT your Remonstrant being solely moved by the Distress those People appeared to be in upon their Arrival amongst us, to accept the Care and Trust the House was pleased to appoint him to with the other Commissioners, being early apprehensive that the due Discharge thereof would be attended with no small Trouble (to the Commissioners) and Expence to the Public, which Experience since hath abundantly verified. *William Griffitts's* Remonstrance concerning the Neutrals.

That about Fifty of the Neutrals have lately had the Small-pox (of which many died) a material Reason why the Accounts of your Remonstrant amount higher than usual; the extraordinary Expence arising from supplying the Sick with sundry Necessaries recommended by the Doctors, and from the Hire of several Nurses to attend them in that Distemper, without which Care many more of them, in all Probability, would have perished miserably; and as your Remonstrant hath great Reason to believe, that any Neglect of Duty to the Neutrals, in the Time of their Sickness, would have justly deserved the Censure of this House, your Remonstrant humbly hopes, that his and the other Commissioners Care and Conduct in that Respect, though attended with a considerable Expence, will be approved of by the Assembly.

That the Reason why so many Neutrals have remained in Town so long, hath, in a great Measure, been owing to the Overseers of the respective Townships absolutely refusing to take Charge of them; for though the Law provides a Remedy, and to compel the Overseers to their Duty, yet they having often declared, that they would not supply them with Provisions (the Consequence of which would be their returning to the Commissioners, which they often have done, for Relief) your Remonstrant was therefore discouraged from insisting on it; and particularly, as it often happens that many of the Overseers are People whose Circumstances will not allow them to be in Advance for the Provisions necessary for the several Families under their Care, whereby many of the Neutrals who were willing to work have had neither Meat or Bread to eat for many Weeks together, and were necessitated (as your Remonstrant is credibly informed) to pilfer and steal for the Support of Life.

That your Remonstrant is greatly concerned to observe a general Dislike in the Inhabitants of this Province against employing the Neutrals in their Service, by Means whereof, notwithstanding some of them refuse to work, many of them who are willing to work are unemployed, and the Load of Expence becomes heavier on the Province.

That your Remonstrant hath at present Accounts by him, which (by the Governor's particular Direction) he stands engaged for, to the Amount of *Three Hundred* and *Fifty Pounds*, or thereabouts, and by what he can learn, there are other Accounts to the Amount of *One Hundred* and *Fifty Pounds* more, not yet brought in; great Part of the first mentioned Sum is already paid; and as your Remonstrant finds the Expence encreasing daily, therefore prays the House to take the Premises into Consideration, and make such Provision for reimbursing the Payment of the Monies aforesaid as in your Wisdom and Justice shall seem meet. Also, if the House should think fit to frame another Law respecting those Neutrals, your Remonstrant begs Leave to request that another Person may be therein nominated as Commissioner in his Stead; yet, at all Times, he will do

1756. *October* 28. the utmoſt in his Power to aſſiſt the new Commiſſioners in the Execution of their Office, and for your Favours be greatly obliged.

WILLIAM GRIFFITTS."

Ordered to lie on the Table.

Mr. *Franklin*, Preſident of the Provincial Hoſpital, laid before the Houſe an Account of the Stock, Expences, *&c.* of the ſaid Hoſpital; which was read, and is as follows, *viz.*

We the Committee appointed by the Board of Managers to adjuſt the Accounts of the Pennſylvania HOSPITAL, *for the preceding Year, do* REPORT,

That on Account of the Capital Stock, the Treaſurer Charles Norris, *gives Credit,*

Report of the Committee on the Accounts of the Hoſpital.

For the Balance remaining in his Hands laſt Year, —— —— £ 317 3 0

And Caſh paid him by the following Subſcribers, viz.

1755. *May*	9.	Hugh Hughes,	£	10	0	0		
	21.	David George,		10	0	0		
June	10.	Francis Yarnall,		10	0	0		
	27.	John Smith ——		50	0	0		
July	2.	Concord Townſhip (Cheſter County,) —		10	0	0		
	4.	William Bradford		3	0	0		
	17.	Iſrael Pemberton,		100	0	0		
		Ditto, for his Father's Subſcription,		100	0	0		
		John Jones (Shoemaker)		10	0	0		
Auguſt	22.	William Coleman,		25	0	0		
September	6.	Joſeph Richardſon (Silverſmith)		5	0	0		
	25.	Charles Jones,		15	0	0		
October	18.	James Pemberton,		25	0	0		
November	5.	William Dowell,		25	0	0		
		Carried forward,	£	398	0	0		
		Brought forward,	£	398	0	0		
1755. *Dec.*	26.	John Redman,		10	0	0		
		Hugh Roberts		25	0	0		
		Benjamin Franklin,		25	0	0		
1756. *Jan.*	1.	William Plumſted,		25	0	0		
	6.	Abel James,		15	0	0		
Feb.	21.	Thomas Bond,		25	0	0		
	24.	John Roberts,		10	0	0		
		Phineas Bond,		10	0	0		
	25.	Philip Benezet,		15	0	0		
		Thomas Holland,		10	0	0		
March	17.	Philip Hulbert,		5	0	0		
	25.	John Bailey,		10	0	0		
April	12.	Jeremiah Warder,		15	0	0		
May	1.	Jacob Shoemaker,		10	0	0		
		George Gray,		15	0	0		
		Charles Weſt, junior,		10	0	0		
							£	633 0 0
							£	950 3 0

And that he Charges two Bonds and Mortgages, of £ 500 each, which were given for Money lent on the Building Account, and are, by Order of the Managers, now to be applied to this Account, —— 1000 0 0

So that there remains due to the Treaſurer on this Account, the Third of Fifth Month, 1756, —— 49 17 0

On Account of the Money granted by Law, and paid by the Contributors, for the Founding, Building and Furniſhing the Hoſpital, the Treaſurer gives Credit,

For the Balance remaining in his Hands laſt Year, —— £ 150 0 0

For two Bonds and Mortgages remaining in his Hands at laſt Settlement, 1000 0 0

£ 1,150 0 0

For Caſh paid him by ſundry Subſcribers, viz.

James Lownes,	£	10	0	0				
William Buckley,		10	0	0				
James Coultas,		15	0	0				
John Coates, junior,		15	0	0				
Thomas Coates, junior,		10	0	0				
Nathaniel Grubb,		10	6	0				
David Chambers,		10	0	0				
John Coates, ſenior,		10	0	0				
Graydon and M'Ilvaine,		5	0	0				
John Luke, of Barbados,		10	0	0				
Eſtate of J. Croſby, a Legacy,		100	0	0				
Carried forward,	£	205	6	0				
Brought forward,	£	205	6	0				
Joſeph Gamble, of Barbados,		25	0	0				
Joſeph Jackman, of Ditto,		10	0	0				
Thornbury Townſhip, Cheſter County, ——		10	0	0				
John Tinker, Eſq; Governor of the Bahama Iſlands,		20	0	0				
Benjamin Chew,		25	0	0				
James Pemberton, additional Sum, ——		11	3	0				
William Coleman, Ditto,		10	0	0				
John Coates, ſenior, Ditto,		2	6	0				
					£	318	15	0
And for Caſh which, by Order of the Managers, he borrowed on Intereſt, the Firſt of Twelfth Month laſt, —— —— ——						200	0	0
					£	1,668	15	0

And he Charges, Caſh paid Samuel Rhoads, as per ſeven Orders of the Managers, ſince laſt Settlement, towards the Building, —— —— £ 1,250 0 0

So that there is a Balance in his Hands on this Account, —— —— 418 15 0

£ 1,668 15 0

On Account of Intereſt-Money, the Treaſurer Debits,

The Balance due to him on laſt Year's Settlement, —— ——	£	294 1	3½
Caſh paid the Matron for Expences of Houſe-keeping, —— ——		320 0	0
Paid Adminiſtrator of John Kinſey, for Houſe-rent, due laſt Year, —— ——		18 10	0
and this Year, ——		30 0	0
Paid William Hinton, for Intereſt of the Price of the Lot bought of him, to the 25th of Third Month, 1755, —— —— ——		4 6	0
Paid for a Book for Accounts, —— —— ——		0 3	0
Paid John Morgan, Apothecary, in full to this Day, —— ——		16 5	0
	£	683 5	3½

And he Credits,

Caſh received of ſundry Perſons, for Intereſt of the Money due on Land Securities,	£	72 0	0
Ditto received of the Borrowers of the Money granted by Law, ——		105 0	0
Ditto received of William Allen, his annual Subſcription, 1755, ——		12 0	0
Ditto received of ſundry Subſcribers, for Intereſt of their Subſcriptions, ——		115 3	7
	£	304 3	7
So that there remains due to him on this Account, —— ——		379 1	8½
	£	683 5	3½

And

And on a general State of the Accounts, it appears, that 1756. October 28.

Dr. *The Capital Stock of the* Pennsylvania HOSPITAL, Cr.

To 142 Bonds remaining due from sundry Subscribers,	£	1,729	16	8	By 133 Subscriptions, before the Settlement of Accounts, 1752,	£	2,721 16 8
To 21 Subscriptions, for which Bonds are not yet given,		146	10	0	By 2 Ditto, 1753,		30 0 0
To 9 Bonds, with Land Securities, in the Hands of the Treasurer, for Money lent to Persons on Interest,		2,860	0	0	By 1 Ditto, 1754,		10 0 0
To Deeds in the Treasurer's Hands, for a Lot near Germantown, an Annuity of 35 *s.* Sterling per Annum, and an Annuity of 6 £ per Annum, which are valued at		174	0	0	By 186 Ditto, 1755,		2,028 13 0
					By 7 Ditto, 1756,		70 0 0
					Besides 3 annual Subscriptions, amounting to £ 14 10 0 per Annum,		
						£	4,860 9 8
					Balance, being so much more put to Interest than yet received,		49 17 0
	£	4,910	6	8		£	4,910 6 8

Dr. *Stock granted by Law, for founding, building and furnishing the Hospital,* Cr.

To Expences of Furniture, House-rent, &c, adjusted 1752,	£	143	5	7½	By Cash of the Trustees of the Loan-Office,	£	2,000	0 0
1753,		42	4	9½	By Interest received by the Treasurer, 1753,	£	67	0 0
1754,		84	12	7	1754,		160	0 0
1755,		51	4	7½	1755,		61	0 0
1756,		35	7	5	1756,		105	0 0
	£	356	15	6½		£	393	0 0
To Cash paid Parker and Hinton, for the Lot for the Site of the Hospital,		500	0	0	By Cash received of sundry Contributors, and Legacies left by sundry Persons,		318	15 0
To Cash paid S. Rhoads, towards purchasing the Materials, and carrying on the Building,		1,450	0	0	By Cash borrowed on Interest, the First of Twelfth Month, 1755, of C. W.		200	0 0
	£	2,306	15	0½				
To Cash remaining due to C. W.		200	0	0				
To Balance due to this Stock,		405	0	0				
	£	2,911	15	0½		£	2,911	15 0

Dr. *The Houshold Expences of the* Pennsylvania Hospital, Cr.

To Balance of Account settled the Fifth of Fifth Month, 1755,	£	455	18	4	By Interest Money received from sundry Contributors,	£	115	3 7
To the Apothecary's Salary to this Day,		16	5	0	By Ditto of Borrowers of the Money lent,		72	0 0
To the Amount of Provisions, Firewood, and Wages to this Day,		329	14	3	By Donations from several Charity-boxes,		18	6 0
					By Cash received for boarding Pay Patients,		20	15 4
					By William Allen's annual Subscription,		12	0 0
						£	238	4 11
					Balance expended more than we have yet received of the Stock to be applied to this Account, to be made good out of the Interest Money, when collected,		563	12 8
	£	801	17	7		£	801	17 7

The foregoing Accounts were examined and adjusted, and the Lists of Bonds and Subscriptions compared with the Originals; likewise the Bonds and Mortgages for the Money lent out on Interest, with the Deeds relative thereto, and the Deeds for the Ground-rents and Lots granted to the Contributors of the *Pennsylvania Hospital*, were examined, and found remaining in the Hands of the Treasurer *Charles Norris*, the Third of *Fifth Month*, 1756.

ISRAEL PEMBERTON,
JOSEPH MORRIS."

A LIST of the Patients remaining the 26th of April, 1755, *and of such as have been admitted into the* Pennsylvania Hospital *from that Time to the 26th of* April, 1756; *with the Time of their Admission, Disorders, when and how discharged, and who remain,* viz.

1755. *Timothy Carrol*, a bad Ulcer in his Hand, with Exostosis, discharged incurable *August* 16.
Frederick Ambert, carious Bones in his Feet, cured and discharged *November* 1.
James Morrison, carious Bones in his Ancle, and an hectic Fever, died *April* 28, 1755.
James Stewart, Ulcers and carious Bones in his Leg; much relieved and discharged *June* 11.
Adam Cook, Ulcers and carious Bones; cured and discharged *May* 16.
John Iler, a putrid scorbutic Ulcer over great Part of his Leg, died *October* 11.
Patrick Hennison, Ulcers in his Legs, cured and discharged *May* 24.
Mary Boardman, lunatic, discharged incurable *February* 25.
Jane Church, lunatic, escaped *June* 19.
Patrick O Neal, a Wound in his Elbow Joint, cured and discharged *May* 24.
William Hudson, lunatic, discharged, much relieved, *September* 17.
John Norton, scorbutic Ulcers, cured and discharged *May* 14.
Benjamin Willis, an habitual Flux, and hectic Fever, died *October* 5.

1755.

1756. October 28. 1755. *Clement Rice*, an Aſcites, died *May* 8.
Eliſabeth Ellis, lunatic, cured and diſcharged *May* 7.
Mary Rees, lunatic, diſcharged *June* 11, for want of convenient Room.
Chriſtian Byerly, Ulcers with carious Bones, died *October* 26.
William Waters, a Dropſy, cured and diſcharged *June* 21.
Ann Croucher, ſcorbutic Ulcers, cured and diſcharged *May* 17.
John Lee, 85 Years old, ſore Legs and Aſthma, died *May* 28.
May 14. *Eliſabeth Hopkins*, diſordered in her Eyes, diſcharged incurable *July* 26.
William Shea, Rheumatiſm, cured and diſcharged *May* 31.
21. Negroe *Sam*, ſcrophulous Swellings in his Throat, conſiderably relieved and diſcharged *June* 7.
24. *John Campbell*, eating Ulcers in his Throat, diſcharged *June* 30.
Bryan Hughes, a large Wound in his Leg, cured and diſcharged *June* 18.
31. *Sarah Kirk*, a bad ſore Leg, cured and diſcharged *July* 23.
June 7. *Francis Hammon*, a Flux, died *September* 20.
11. *Joſeph Hickman*, an Ulcer of two Years ſtanding, Leg with carious Bones, remains.
18. *Thomas Sparrow*, a conſumptive Habit of Body, cured and diſcharged *July* 23.
21. *Robert Boggs*, a Dropſy of nine Months ſtanding, cured and diſcharged *Aug.* 2.
July 3. *Margaret Stewart*, long under uterine Obſtructions, died *July* 5.
9. *Dorothy Smith*, rheumatic Pains, cured and diſcharged *September* 13.
12. *William Walters*, a dropſical Diſorder, cured and diſcharged *March* 17.
16. *Sarah Roſs*, lunatic, remains.
John Davis, ſcorbutic Ulcers, cured and diſcharged *September* 20.
19. Negroe *Plato*, lunatic, cured and diſcharged *Auguſt* 9.
23. *William Henderſon*, long waſting Fever, cured and diſcharged *September* 3.
26. *John Campbell*, eating Ulcers in his Throat, diſcharged *September* 17.
Aug. 2. *William Sherridon*, a Gutta Serena, cured and diſcharged *Auguſt* 27.
Jane Watts, long waſting Fever, cured and diſcharged *October* 1.
6. *Robert Coby*, an intermitting Fever, cured and diſcharged *Auguſt* 27.
13. *Joſeph Grover*, a violent Inflammation of the Eyes, remains.
27. *Eſther Norton*, a white Swelling in her Knee, cured and diſcharged *October* 11.
30. *Mary Mitchell*, terrible ſcorbutic Ulcers in her Face, cured and diſcharged *October* 11.
Patrick Henniſon, ſcorbutic Ulcers in his Arm, cured and diſcharged *Nov.* 12.
Sept. 3. *Nathaniel Cope*, ſcorbutic Ulcer in his Leg, cured and diſcharged *October* 4.
6. *John Jackſon*, lunatic, cured and diſcharged *October* 13.
10. *Richard Gilbert*, ſcorbutic Ulcers, cured and diſcharged *October* 29.
17. *Alexander Moorhead*, ſcorbutic Ulcer in his Leg, cured and diſcharged *Oct.* 13.
20. *Richard Gallop*, an inveterate Scurvy, cured and diſcharged *December* 17.
24. *Andrew Shaffer*, a Lunatic, cured and diſcharged *December* 17.
27. *John Spurring*, an Ulcer in his Liver, died *December* 9.
Thomas Watkins, ſcorbutic Eruptions, cured and diſcharged *October* 29.
Oct. 4. *Margaret Kennard*, a Flux, died *October* 13.
13. *John Grant*, rheumatic Pains, cured and diſcharged *November* 12.
22. *Thomas Bedford*, a Fever, with Obſtructions in his Breaſt and Bowels, cured and diſcharged *December* 20.
23. *Andrew Ogleby*, an Ulcer in his Throat, cured and diſcharged *December* 17.
29. *John Campbell*, re-admitted, diſcharged *February* 11.
Nov. 1. *Jane Fielding*, a Surfeit, with Ulcerations all over, died *November* 15.
Henry Andrews, an Ulcer in his Leg, remains.
George Bond, Obſtructions in his Breaſt and Bowels, died *November* 22.
12. *William Shannon*, Ulcers on his Leg, cured and diſcharged *December* 17.
19. *Mary Grant*, Ulcers on her Leg, cured and diſcharged *January* 13.
22. *Edward Fitter*, an Exoſtoſis, cured and diſcharged *January* 10.
Dec. 3. *Robert Porter*, Ulcers in his Legs from *Guiney* Worms, cured and diſcharged *January* 17.
13. Negroe *Teny*, Rheumatiſm, cured and diſcharged *January* 17.
Henry Williamſon, a hard Tumor on his Thigh, remains.
17. *David Rogers*, Dropſy and Conſumption, diſcharged *February* 11.
20. *Charles Shepherd*, Ulcer in his Thigh, removed into the Country.
27. *John Oſborn*, Dropſy, remains.
31. *Andrew Marſhall*, Conſumption, remains.

1756.
Jan. 13. *Catherine Arkinſon*, Conſumption, remains.
Thomas Bedford, a bad Cough, and ſhort Breath, cured and diſcharged *Feb.* 28.
17. *Thomas Carty*, Ulcers in his Legs, cured and diſcharged *March* 13.

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Jan. 31. *Patrick Bourn*, an Obstruction of the Spleen, and Fever, relieved and discharged *February* 18.

Feb. 4. *Elisabeth Joline*, a scorbutic Ulcer in her Throat, cured and discharged *April* 17.
Mary Willet, judged incurable, but must perish in the Street if refused Admittance, died *February* 8.

18. *Gregory Cooke*, Ulcers in his Throat, cured and discharged *March* 17.
John M'Daniel, scorbutic Ulcers in one Arm, remains.

28. *Morris Stapleton*, Ulcers and carious Bones in a Leg and Arm, remains.

March 6. *Mary Burns*, uterine Obstructions, and scorbutic Habit, remains.
Esther Barnet, lunatic, remains.

10. *Agnus Grier*, a cancerous Tumor, *&c.* in her Wrist, her Arm amputated *March* 11, cured and discharged *April* 17.

20. *Hugh Moor*, an Abscess in his Ear, and scorbutic Habit, cured and discharged *April* 21.

31. *David Howell*, a Gunshot Wound, and fractured Bone in one Arm, the Sixth Instant, by the *Indians*, remains.

April 7. *Ann Vanwinkle*, scorbutic Ulcers all over her Body, remains.

10. *William Herring*, scorbutic Ulcers, remains.

17. *William Keith*, a Wound in his Leg, remains.

21. *Patrick Hennison*, scorbutic Ulcers in his Arm, remains.
David Rogers, a Dropsy, remains.

In all Eighty-eight Patients, of which Forty-five have been cured and discharged, Six relieved, One left the House without Leave, Five incurable, Thirteen died, and Eighteen remain.

Memorandum, *John Campbell* being taken in three times, is reckoned but one Patient.

JOHN SMITH.

Ordered, That Mr. *Baynton*, Mr. *Masters*, Mr. *Denormandie*, Mr. *Gibbons*, Mr. *James Wright*, Mr. *Allen* and Mr. *Yorke* be a Committee to visit the Hospital, and report the State thereof to the House.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Post Meridiem

The Committee appointed to confer with the Governor concerning the Placing of the *Indians* now in Town, report that they had done the same accordingly; and that the Governor was pleased to say that the *Indians* might be permitted, for the present, to have the Use of any Part of the Manor of *Pennsbury* that should be thought necessary for their Support and Maintenance; and if the House would appoint a Person to view and lay out such Place for the said *Indians*, he would direct the Secretary and Mr. *Hockley* to go up with such Person for that Purpose.

A Return of the Sheriff of the County of *Chester* was brought to the House, by which it appeared that *Isaac Wayne* and *Ralph Pyle* were chosen Representatives to serve in Assembly for the said County.

The House resumed the Consideration of that Part of the Governor's Speech which relates to a Militia Law; and, after having gone through the Reading of the several Militia Laws of the neighbouring Colonies, and also those of *Great-Britain*;

Ordered, That Mr. *Galloway*, Mr. *Franklin*, Mr. *Melvin*, Mr. *Morton*, Mr. *Douglas*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for forming and regulating a Militia in this Province.

A Motion was made by Mr. *Roberdeau*, one of the Wardens of the City of *Philadelphia*, that as some Doubts had arisen among the said Wardens and Inhabitants, concerning the Meaning of that Part of the Law for regulating and continuing the Nightly Watch, *&c.* which relates to the Pumps in the Streets of the said City, whereby the same had not as yet been executed, the House would be pleased to take the said Law into Consideration, and either alter, explain or amend the same, as they should judge necessary. *Referred to farther Consideration.*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

October 29.

The Militia Bill lately published in *Maryland* was read, and referred to the Consideration of the Committee appointed to prepare a Bill for regulating the Militia of this Province.

Ordered, That it be recommended to the Commissioners for disposing of the *Thirty Thousand Pounds* to the King's Use, to continue the Support of the Neutral *French*, now in this Province, till some further Provision can be made for that Purpose.

Ordered, That Mr. *Ashbridge* and Mr. *Grubb* wait upon the Governor, and acquaint him, that the House have recommended it to the Commissioners for disposing of the *Thirty Thousand Pounds* granted to the King's Use, to make Provision for the Expence mentioned in the Governor's Speech, as likely to accrue upon the *Indians* coming down to *Easton*.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

1756. *October* 29. *Poſt Meridiem*

The Gentlemen appointed to wait on the Governor return, and report, that they had delivered the Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay he was glad the Houſe had made Proviſion for the Expences likely to accrue upon the *Indians* coming down to *Eaſton*.

The Governor, by Mr. Secretary, ſent down to the Houſe a Meſſage in Writing, with a Letter therein referred to, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I HAVE this Morning received a Letter, giving an Account, that the *Indian* Chief, 'Teedyuſcung, with a Number of *Indians*, was met on their Way to *Eaſton*; and that 'One Hundred of thoſe who ſet out with him are waiting in the Woods, beyond *Fort* '*Allen*, to know what Reception will be given to their Chief.

'As Lord *Loudoun*, after being made acquainted with the former Treaty held at '*Eaſton*, has been pleaſed to ſignify to me, in his Majeſty's Name, in a Letter already 'laid before you, that neither the Governor nor Government of this Province ſhould 'confer or treat with the *Indians*, but that they ſhould be referred to Sir *William Johnſon*, who, his Lordſhip ſays, has the ſole Management of *Indian* Affairs, committed to 'him by ſpecial Commiſſion from his Majeſty, I find myſelf under very great Dif'ficulties.

'And as I am under a Neceſſity, by theſe Advices, to come immediately to a Re'ſolution, I deſire you will give me your Advice in what Manner to conduct myſelf on 'Behalf of this Government, whoſe Security and neareſt Intereſts, as well as thoſe of the 'other Colonies, will be deeply affected by the Meaſures now taken.

'Mr. *Weiſer* is waiting for Orders to ſet out for *Eaſton*, who cannot be diſpatched till 'I have the Opinion of the Houſe.

October 29, 1756. *WILLIAM DENNY.*"

A Meſſage from the Governor by Mr. Secretary:

"*SIR*,

"The *French* Neutrals have repreſented to the Governor, that they are in a moſt "ſtarving Condition, and pray Relief; he therefore recommends their unfortunate Caſe "to the Conſideration of the Houſe."

The Governor's Meſſage being again read and conſidered,

Ordered, That Mr. *Hughes*, Mr. *Franklin*, Mr. *Smith* and Mr. *Aſhbridge* be a Committee to prepare a Draught of an Anſwer to the ſame.

Then the Houſe adjourned for Half an Hour.

The Houſe met, *&c.*

The Committee appointed to prepare a Draught of an Anſwer to the Governor's Meſſage, reported the ſame to the Houſe, and it being read, was agreed to, with ſome Alterations, and ordered to be tranſcribed, that it may be ſent up to the Governor; which being accordingly done, it was again read, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

WE have conſidered your Honour's Meſſage of this Day, with Lord *Loudoun's* Letter, laid before us at the Beginning of the Seſſion. And ſince you are pleaſed to aſk our Opinion and Advice on this important Occaſion, we ſhall give it with all dutiful Freedom and Sincerity.

We are truly thankful to our gracious Sovereign for the late wiſe Regulation of putting *Indian* Affairs, eſpecially thoſe that relate to War or Peace with them, under a more general Direction than they have heretofore been, as we think the *Britiſh* Intereſt will now have more Weight with the *Indians*, than if ſeparate Treaties of Peace might be made by ſeparate Colonies for themſelves, without conſulting the Intereſt or Safety of their Neighbours. We cannot therefore deſire, however burdenſome the preſent War with the *Indians* may be to this Province, that ſuch a ſeparate Treaty ſhould be concluded on our Behalf. We are, however, of Opinion, that the Treaty begun by the late Governor (before Sir *William Johnſon's* Powers were made known) in Purſuance of which the *Indians* are now come down, ſhould not be wholly diſcontinued on our Part, leſt the *Indians* be diſguſted, and the Opportunity of bringing them to a general Peace with all the *Britiſh* Colonies be loſt. We rather think it adviſeable, that your Honour would give them an Interview, make them the cuſtomary Preſents, in Behalf of this Government, to relieve their Neceſſities, and aſſure them of our ſincere Inclination to take them again into Friendſhip, forgive their Offences, and make a firm Peace with them; but at the ſame Time to let them know, that the Government of this Province cannot agree to make a Peace with them for itſelf, and leave them at Liberty to continue the War with our Brethren of the neighbouring Colonies: That we are all Subjects of one great King, and muſt, for the future, be all at Peace or all at War with other Nations at the ſame Time: That our King has appointed Sir *William Johnſon* to manage theſe general Treaties for all the Governments in this Part of *America*, and to him we muſt therefore refer

refer the *Indians* for a final Concluſion and Ratification of this Treaty;—promiſing alſo to write to him, acquainting him with the good Diſpoſitions the *Indians* have ſhown at theſe Conferences, and recommend it to him to make the Agreement firm and laſting for all Parties. An Interview of this Kind with the *Indians*, we apprehend, may at this Time be greatly for his Majeſty's Service, and for the Advantage not only of this, but of all the neighbouring Colonies, and not inconſiſtent with the Intention of Lord *Loudoun's* Letter: Which we nevertheleſs ſubmit to your Honour's prudent Conſideration. 1756. *October* 29.

And the Meſſage being ſigned by Mr. Speaker, by Order of the Houſe,

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor, and deliver the ſame.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Return of the Sheriff of the County of *Northampton* was brought to the Houſe, and read, by which it appeared, that *William Plumſted* was choſen a Repreſentative to ſerve in Aſſembly for the ſaid County. *October* 30.

The Gentlemen appointed to wait on the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay that the ſaid Meſſage was extremely agreeable to him.

A Petition from *John Jones*, *Samuel Mechlin* and *Daniel Brown*, Freeholders and Inhabitants of the County of *Northampton*, in Behalf of themſelves and divers of the Freeholders and Inhabitants of the ſaid County, was preſented to the Houſe and read, ſetting forth, that an Election was held at *Eaſton*, in the County of *Northampton* aforeſaid, on *Monday*, the Twenty-fifth Day of this inſtant *October*, for chooſing a Repreſentative to ſerve in General Aſſembly for the ſaid County, at which Election the Petitioners apprehend that *William Plumſted*, who was returned as Repreſentative by the Sheriff, was illegally choſen, for the following Reaſons, *viz.* 1ſt, *Matthias Riggle*, one of the Inſpectors, notwithſtanding his Qualification, deſtroyed ſeveral of the Tickets which were in Favour of *William Edmonds*, and delivered to the ſaid *Riggle*. 2d, That one Perſon was ſeen to deliver Tickets repeatedly to the Inſpectors. 3d, A great Number of the Tickets were folded up together, ſome one in another, and ſome two in one, which appeared to be received by the Inſpectors as one Ticket, a Number of which were allowed and approved of by the Sheriff: The Petitioners, therefore, and as they conceive the ſaid Election is contrary to an Act of General Aſſembly of this Province, and an Infringement of their Rights and Liberties, pray that this Houſe will take the Premiſes into Conſideration, and grant them ſuch Relief as ſhall ſeem meet.

Ordered to lie on the Table.

The Houſe being informed that two of the Petitioners and the Sheriff of the County of *Northampton* were attending without, they were called in, and having anſwered ſuch Queſtions concerning the late Election in ſaid County as were put to them by the Houſe, they were directed to withdraw.

Ordered, That the preſent Sheriff of the County of *Northampton* do, as ſoon as may be, make a Return to this Houſe of the Liſt of Taxables, Conſtables Returns, and Names of Voters, as required by Law; and that the Clerk do write to the former Sheriff offaid County, to ſend down the ſaid Liſts for the Election held on the Firſt Day of *October* laſt.

Reſolved, That next *Tueſday* Se'nnight be appointed to hear the Merits of the Petition from *Northampton* County; and that the Petitioners and Sheriff do attend at that Time, with their reſpective Evidences.

Then the Houſe adjourned to *Monday* next, at Three o'Clock in the Afternoon. Adjournment

The Houſe met, purſuant to their Adjournment. *November* 1. *Poſt Meridiem*

The Minutes of the preſent Sitting of Aſſembly, to this Time, were read, by Order of the Houſe, and

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe met, and adjourned to Three o'Clock, *P. M.* *November* 2.

The Conſtables Returns, and Liſt of Voters, at the laſt Election for the County of *Bucks*, were brought to the Houſe, and ordered to lie on the Table for the Peruſal of the Members. Adjournment *Poſt Meridiem*

Mr. *Wayne*, returned a Repreſentative for the County of *Cheſter*, took and ſubſcribed the Qualification appointed by Law, and the Oath of Abjuration; and then took his Seat in the Houſe accordingly.

The Bill for regulating the Officers and Soldiers in the Pay of this Province, was read the ſecond time; and, after ſome Debate thereon, was referred to farther Conſideration till To-morrow Morning.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe reſumed the Conſideration of the Bill for regulating the Soldiers in the Pay of this Province; and, after ſome Time ſpent therein, the ſame was ordered to be tranſcribed for a third Reading. *November* 3.

A Motion was made, that the Houſe ſhould now come to ſome Determination concerning the Admiſſion of *William Plumſted* (returned by the Sheriff of the County of *Northampton* as Repreſentative for the ſaid County) to take his Seat in the Houſe; but

ſundry

1756. *November* 3. ſundry Objections ariſing concerning the Legality of the ſaid Return, a Debate enſued thereupon; and, after a conſiderable Time ſpent therein, the ſame was referred to farther Conſideration.

A Meſſage from the Governor, by Mr. Secretary:

S I R,

" The Governor informs the Houſe, that he propoſes, if the Weather will permit, " to go To-morrow to *Eaſton*, and would be pleaſed with the Company of any of the " Members that the Houſe ſhall think proper to appoint to attend the *Indian* Con- " ferences."

A Meſſage from the Governor by Mr. Secretary:

S I R,

" The Governor lays before the Houſe a Letter from the Secretary of State, ſigni- " fying the King's Pleaſure, that in Caſe any of his Commanders at Sea ſhould have " Occaſion to apply to this Government to ſet on Shore any *French* Priſoners, he ſhould " receive them, and treat them as heretofore in the late *French* War.

" At the ſame Time he informs the Houſe, that there are in the Goal of this City " two *French* Deſerters, who have lain there theſe nine Months, and one *French* Pri- " ſoner in *Lancaſter* Goal, and that there is no Proviſion made for either their Cloath- " ing, Diet or Removal."

The Letter referred to in the foregoing Meſſage was read, and is as follows, *viz.*

S I R, *Whitehall, June* 18, 1756.

Secretary of State's Letter. I AM commanded to ſignify to you the King's Pleaſure, that in Caſe any of the Commanders of his Majeſty's Ships ſhall have Occaſion to apply to you to ſet on Shore, in the Province under your Government, any *French* Priſoners, you ſhould receive and treat them in the ſame Manner as was practiſed during the laſt War, or in ſuch other Manner as you ſhall think moſt conducive to his Majeſty's Service. I am, *Sir,*

To the Deputy Governor of Pennſylvania. *Your moſt obedient humble Servant,* H. Fox."

Reſolved, That it be recommended to the Commiſſioners for diſpoſing of the *Thirty Thouſand Pounds*, granted to the King's Uſe, to make Proviſion for the Cloathing, Diet, or Removal of ſuch *French* Priſoners as now are, or hereafter may be, brought to this Province, in ſuch Manner as the Governor, with the ſaid Commiſſioners, ſhall judge ſuitable and neceſſary.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill, entituled, *An Act for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Gibbons* and Mr. *Weſt* do carry up the ſame to the Governor for his Concurrence; and deſire to know whether he has the Eſtimates of the Supplies neceſſary to be granted at this Time ready, and if ſo, that he would be pleaſed to communicate the ſame to the Houſe; and further, that the ſaid Members deliver the following Meſſage to the Governor, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. THE Repreſentatives of the Province of *Pennſylvania*, in Aſſembly met, requeſt your Honour would be pleaſed to grant a Commiſſion to *Samuel Kirk*, to be Serjeant at Arms, and King's Meſſenger, at all Times to attend the Service of this Houſe, with Power to execute all Precepts, Warrants and Meſſages whatſoever, which ſhall be iſſued by their Order, as has been formerly the Uſage within this Province.

Signed, by Order of the Houſe,

ISAAC NORRIS, *Speaker.*"

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 4. The Gentlemen appointed to wait upon the Governor with the Bill for regulating the Provincial Forces, and the Meſſages of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would take the ſaid Bill into his Conſideration, and give it all the Diſpatch in his Power; that he had not as yet compleated an Eſtimate of the Supplies neceſſary for the preſent Year, owing to his being much engaged in public Buſineſs; and that as to the Meſſage requeſting a Commiſſion for the Serjeant at Arms, he would take it into Conſideration, and give an Anſwer to the Houſe.

The Houſe reſumed the Conſideration of the Motion concerning the Clauſes in the Law

Law for regulating and continuing the Nightly Watch, &c. which relate to the Pumps in the Streets of *Philadelphia*; and, after some Time spent therein, 1756. *November* 4.

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Baynton* and Mr. *Masters*, be a Committee to prepare and bring in a Bill for explaining and amending the said Act, so far as relates to the Pumps in the Streets of the City of *Philadelphia*.

The Governor, by Mr. Secretary, sent down to the House the Bill for regulating the Provincial Forces, with a Message, that he was ready to pass the same into a Law whenever it should be presented to him for that Purpose; but he recommended it to the House to consider whether it would not be proper to lessen the Number of Officers required by the Bill to constitute a Court-martial, as it would be sometimes difficult to get such a Number together, and Trials thereby be too long postponed.

And the House taking the same into Consideration, were of Opinion, that as the Law was not to be in Force longer than till the Twenty-fifth of *March* next; it was not necessary to make the proposed Alteration at present, especially as it would take some Time, and the Governor was now waiting in the Council Chamber to give his Assent to the Bill, being to set out for *Easton* To-morrow.

Ordered, That the said Bill be engrossed. —— And the same being done accordingly, was read, and compared at the Table.

Ordered, That Mr. *Leech* and Mr. *Franklin* do meet such of the Council as the Governor shall appoint, in order to compare the engrossed Bill with the Original; and that they acquaint his Honour with the Reasons why the House adhered to the Bill as it now stands.

The Gentlemen return, and report, that they had, with a Member of Council, compared the engrossed Bill with the Original, and found them to agree; and that they had acquainted the Governor with the Reasons why the House adhered to the Bill as it now stands; who was pleased to say, he was ready to receive the House, in order to pass the same into a Law.

Ordered, That two of the Members see the Great Seal affixed to said Law, after it is passed, and the same deposited in the Rolls Office.

Then Mr. Speaker, with the whole House, waited upon the Governor; and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act for regulating the Officers and Soldiers commissionated and raised by the Governor for the Defence of this Province*, to which his Honour was pleased to give his Assent, by enacting the same into a Law. And Mr. Speaker further reported, that the Governor said, he had directed a Commission to be made out for the Serjeant at Arms in the usual Manner.

Resolved, That this House will this Day adjourn to *Monday*, the 22d Instant.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Gentlemen appointed to see the Great Seal affixed to the Law after it was passed, reported, that the same was done, and deposited in the Rolls Office.

Ordered, That Mr. *Baynton*, Mr. *Masters*, Mr. *Smith*, Mr. *Hunt*, Mr. *James Wright*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of a Bill for providing for the Maintenance of the *French* Neutrals now in this Province, and such of our Back Inhabitants as are driven from their Habitations, and not capable of getting their Livelihood.

Ordered, That Mr. Speaker, Mr. *Fox*, Mr. *Hughes*, Mr. *Franklin* and Mr. *Masters* be a Committee to accompany the Governor to the proposed Conference with the *Indians* now at *Easton*.

Ordered, That Mr. *Owen* and Mr. *Walker* wait upon the Governor, and acquaint him therewith, and with the proposed Time of Adjournment; and desire to know if his Honour hath any Objection thereto.

Resolved, That the Hearing of the Merits of the Petition from *Northampton* County, relating to an undue Election; be deferred till *Tuesday*, the Twenty-third Instant; and that the Clerk do send Notice thereof to the Petitioners, and to the Sheriff of the said County.

The Gentlemen return, and report, that they had delivered the Message of the House, according to Order; and that the Governor was pleased to say, that the Gentlemen appointed to accompany him to *Easton* were extremely agreeable to him; and that he had not the least Objection to the proposed Time of Adjournment.

Then the House adjourned to *Monday* the Twenty-second Instant. Adjournment

THE House met, pursuant to their Adjournment. *November* 22.

Ordered, That Mr. *Galloway* and Mr. *Yorke* wait upon the Governor, and acquaint him, that the House are met, and ready to receive any Thing he may have to lay before them. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of the House, *November* 23.

1756. *November* 23. report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay he ſhould have ſomething to communicate to the Houſe concerning the Supplies for the current Year, which his being obliged to go out of Town had prevented his getting ready ſooner.

Thomas Blackledge, *Ralph Pyle*, and *James Webb*, returned Repreſentatives to ſerve in Aſſembly, appearing in the Houſe, took and ſubſcribed the Qualification appointed by Law to be taken by Members of Aſſembly, and the Abjuration; and then took their Seats in the Houſe accordingly.

Three Petitions (*viz.* from *William Bell*, *James Pugh* and *Edward Hughes*, living in *Cheſter* County) complaining of ſundry arbitrary and illegal Practices of *William Moore*, Eſq; a Juſtice of the Peace in ſaid County, were preſented to the Houſe and read, and

Ordered to lie on the Table.

The Sheriff of the County of *Northampton* attending without, was called in, and he laid before the Houſe the Liſt of Taxables, Conſtables Returns, *&c.* made Uſe of at the laſt Election of a Repreſentative for the ſaid County, and then withdrew.

Ordered, That the Committee of Grievances be a Committee of Elections for the enſuing Year, who are to meet at any Time they ſhall think proper, when the Houſe is not ſitting; and that they give Notice of the Times of their Meeting, that any of the other Members may alſo attend if they think fit; and all that attend are to have Voices.

Ordered, That all the Papers laid before the Houſe, relating to the late Election in *Northampton* County, be referred to the ſaid Committee; and that they examine the ſame, and ſuch Perſons as they ſhall think proper, and report thereon to the Houſe.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. Upon Motion made,

Ordered, That Mr. *Galloway* and Mr. *Franklin* do prepare a Draught of a Meſſage to the Governor, deſiring he would be pleaſed to lay before the Houſe ſuch of the Proprietary Inſtructions to him as relate to Matters of Legiſlation; alſo a Copy of the late Conference with the *Indians* at *Eaſton*.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 24. The Committee appointed to prepare a Draught of a Meſſage to the Governor, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, with ſundry Papers referred to therein, which were read, and the Meſſage is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I COMMUNICATE to you a Letter from Lord *Loudoun*, demanding Quarters for a Battalion of *Royal Americans*, and two Independant Companies, and I deſire you will enable me forthwith to provide them; a Quarter-Maſter being every Day expected, to regulate that Service.

'I now lay before you an Eſtimate for the Expences of the current Year, my late Journey and Buſineſs at *Eaſton* having prevented me from doing it ſo ſoon as I could have wiſhed.

'The Letter herewith ſent I received by Expreſs from Governor *Sharpe*, incloſing the Examination of one *William Johnſon*, whoſe Intelligence is of ſuch Conſequence to this Country as well deſerves your Attention.

November 24, 1756. *WILLIAM DENNY.*"

The Papers ſent down with the foregoing Meſſage were ſeverally read, and the Letter from Lord *Loudoun*, and the Governor's Eſtimates of the Expences for the current Year, were ordered to be entered on the Minutes; and they accordingly are as follow, *viz.*

SIR, *Fort Edward, October* 28, 1756.

Letter from Lord *Loudoun* to the Governor.

I HAVE had a great many Things, which I wanted to have writ to you fully about; but from the Situation in which I found Things on my Arrival here, I have been kept in ſuch a continual Hurry, as to put it entirely out of my Power; and I am afraid a great Part of them muſt now lie over, till I have the Pleaſure of ſeeing you at *Philadelphia*, where I propoſe to be as ſoon as I can.

As the Seaſon muſt now bring the Campaign ſoon to an End, it is neceſſary for me now to look out for Winter Quarters for the Troops; in which I muſt conſult the compleating the Troops during the Winter, and having them in a Situation fit for aſſembling in the Spring, to take the Field; for which Purpoſe I find it will be neceſſary to have in *Philadelphia* one Battalion of the *Royal Americans*, and three Companies in the Lower Counties; and I believe I ſhall be obliged likewiſe to put into your Province, in order to recruit them, two Independant Companies.

The three Companies I propoſe for the Lower Counties, are Part of a Battalion that goes into *Maryland*, and as they lie near one another, I imagine we may get that Battalion

pretty

pretty contiguous, as I cannot agree to leſs than a Company being together; in the Beginning thoſe Companies will be ſmall, but I hope by *Chriſtmas* to ſee them well increaſed. 1756. November 24.

As the Order for Quarters has been ſo often ſignified from his Majeſty to every Government on the Continent, by his Secretaries of State, Lord *Holderneſſe*, Sir *Thomas Robinſon* and Mr. *Fox*, I muſt think it unneceſſary for me to add any Thing further on this Subject, eſpecially as I am writing to you, who is ſo thoroughly acquainted with the Quartering in *England* in Time of Peace, and what Things are furniſhed in Quarters for the Officers and Soldiers; and likewiſe as you are fully acquainted with how much further Quartering extends in Time of War, and even muſt do ſo, from the Nature of Things.

I muſt beg the Favour of you to give Directions to have Quarters ready againſt the Troops arrive, which ſhall be as ſoon as I can finiſh the Campaign, which the Nature of the Seaſon muſt ſoon put a Cloſe to.

I beg Leave to aſſure you, and the Province, that whatever Protection I can give to your People, from the Incurſions of their turbulent Neighbours, I will do it to the utmoſt of my Power. I am, with great Regard,

Sir, your moſt obedient humble Servant,
LOUDOUN."

An ESTIMATE of what three Battalions Pennſylvania *will coſt* per Annum, *each Battalion to conſiſt of ſeven Companies of Foot, and one of Horſe,* viz.

First Battalion.

		£			
1	Lieutenant-Colonel, at *Seventeen Shillings per* Day,		310	5	0
1	Major, at *Fifteen Shillings per* Ditto,		273	15	0
5	Captains of Foot, at *Ten Shillings per* Ditto,		912	10	0
7	Lieutenants, at *Five Shillings* and *Six-pence per* Ditto,		702	12	6
7	Enſigns, at *Four Shillings per* Ditto,		511	0	0
1	Adjutant, at *Four Shillings per* Ditto,		73	0	0
1	Surgeon, at *Six Shillings per* Ditto,		109	10	0
1	Surgeon's Mate, at *Three Shillings per* Ditto,		54	15	0
14	Serjeants, at *Two Shillings per* Ditto,		511	0	0
14	Corporals, at *One Shilling* and *Nine-pence per* Ditto,		448	2	6
7	Drummers, at *One Shilling* and *Nine-pence per* Ditto,		224	1	9
350	Private Soldiers, at *One Shilling* and *Six-pence per* Ditto,		9,581	5	0

Estimates of Supplies for the current Yea

Troop of Horſe.

1	Captain, at *Ten Shillings per* Day,	182	10	0
1	Lieutenant, at *Five Shillings* and *Six-pence per* Ditto,	100	7	6
1	Enſign, at *Four Shillings per* Ditto,	73	0	0
2	Serjeants, at *Two Shillings, per* Ditto	73	0	0
2	Corporals, at *One Shilling* and *Nine-pence per* Ditto,	63	17	6
1	Drummer, at *One Shilling* and *Nine-pence per* Ditto,	31	18	9
1	Farrier, at *One Shilling per* Ditto,	18	5	0
50	Private Men, at *One Shilling* and *Six-pence per* Ditto,	1,368	15	0
468				
3				
1404	Men			

	£			
Pay of the firſt Battalion,	15,623	10	6	
Second Battalion,	15,623	10	6	
Third Battalion,	15,623	10	6	
One Commiſſary of the Muſters and Paymaſter, at *Fifteen Shillings per* Day,	273	15	0	
His Travelling Expences, about	200	0	0	
One military Secretary, *per Annum*,	100	0	0	
Subſiſtence of 1404 Men, at *Five Shillings per* Week each Man,	17,901	0	0	
Firſt Coſt of 177 Horſes, at about *Sixteen Pounds* each,	2,832	0	0	
Subſiſtence of 177 Horſes, at *One Shilling per* Day each,	3,230	5	0	
177 Saddles, with Holſters, Saddlebags, *&c.* at *Three Pounds Five Shillings* each,	575	5	0	
177 Pair of Piſtols, at *Thirty-five Shillings* a Pair,	309	15	0	
177 Sabres, at *Twenty Shillings* each,	177	0	0	
Errors excepted.	£ 72,469	11	6	

By his Honour's Command,
November 24, 1756. RICHARD PETERS, *Secretary.*

CALCULATIONS per Annum.

Garriſon at *Wicaco* to conſiſt of

2	Serjeants, at *Two Shillings per* Day,			
2	Corporals, at *One Shilling* and *Nine-pence per* Ditto,	£	1,205	16	3
1	Drum, at *One Shilling* and *Nine-pence per* Ditto,				
36	Private Men, at *One Shilling* and *Six-pence per* Ditto,				
41	Mens Subſiſtence, at *Five Shillings per* Week,		535	10	3
	Carried over	£	1,741	6	6

1756. November 24.

Brought forward	£ 1,741	6	6
A Veſſel of War, with 20 Carriage Guns of 9 or 12 Pound each, and 10 Swivels, ſuppoſed to coſt, when fit for Sea, ——	10,000	0	0
One Hundred and Thirty-ſeven Mens Proviſions, at *Six-pence per* Day each, for eight Months, ——	922	0	0
One Hundred and Twenty private Men, at *Three Pounds Five Shillings per* Month, for eight Months,	3,120	0	0
Seventeen Officers, eight Months, about —— ——	758	0	0
Errors excepted.	£ 16,541	6	6

By his Honour's Command,
November 24. RICHARD PETERS, *Secretary.*
1756.

ESTIMATE of the current Year's EXPENCE *for the Province of* Pennſylvania.

I. Three Battalions, on the Frontiers, of ſeven Companies of Foot, and one of Horſe each, as per Calculation, —	£ 72,469	11	6
II. An occaſional Garriſon at *Wicaco*, when the King's Troops are abſent,, as *per* Calculation, —— ——	1,741	6	6
III. A Fort at *Mudd-Iſland*, about —— ——	8,000	0	0
IV. A Veſſel of War, to protect the Trade, about —— ——	10,000	0	0
V. Pay and Proviſions for 137 Men, Officers included, on board the Veſſel for eight Months, as *per* Calculation,	4,800	0	0
VI. Arms, Accoutrement and Ammunition for the Militia, to be lodged in a convenient Arſenal, ——	10,000	0	0
VII. Barracks for his Majeſty's Forces that may be quartered here,	10,000	0	0
VIII. An Engineer to be taken into regular Pay for the Service of the Province, at *Fifteen Shillings per* Day, —	273	15	0
IX. Contingencies, —— ——	10,000	0	0
Errors excepted.	£ 127,284	13	0

By his Honour's Command,
November 24. RICHARD PETERS, *Secretary.*
1756.

The Serjeant at Arms laid before the Houſe the Commiſſion he had received from the Governor, which was read; and the Clerk was ordered to take a Copy thereof, to be depoſited among the Papers belonging to this Houſe.

Three Petitions (*viz.* from *John Boggs*, *Adam Ramſover* and *Morris Evans*, of *Cheſter* County) complaining of ſundry unjuſt and oppreſſive Proceedings of *William Moore*, Eſq; one of the Juſtices of ſaid County, and praying Redreſs, were preſented to the Houſe, and read, and *Ordered to lie on the Table.*

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

YOU were pleaſed by your Meſſage at the Beginning of this Seſſion to repreſent to us the Expediency of framing ſundry Laws that are neceſſary for the Defence and Utility of the Province; and we think many others, not recommended to us by your Honour, may likewiſe be for the Benefit of the People, which we are determined at this Time to take into our ſerious Conſideration, and pay that Regard and Attention to them that their Importance deſerves: But as many Bills, prepared at a burthenſome Expence to the Public by antecedent Aſſemblies for the Defence of the Province, in Compliance with his Majeſty's Orders, and other ſalutary Purpoſes, after much Time, and great Pains had been ſpent in framing them, have been rejected by your Honour's Predeceſſors, becauſe not conſiſtent with certain Inſtructions that they had received from the Proprietaries, as directory to them in Matters of Legiſlation; which Inſtructions, notwithſtanding, were unreaſonably concealed from the Repreſentatives of the People; we are, in Juſtice to ourſelves, and in Duty to thoſe we repreſent, obliged humbly to requeſt that your Honour would be pleaſed to lay before us full Copies of all ſuch of your Inſtructions that are of a public Nature, and in anywiſe relate to Matters of Legiſlation, that we may, as we are ſincerely inclined, avoid all unneceſſary Delays at this critical Juncture, in Matters of real Importance, and yield a chearful Obedience to his Majeſty's moſt gracious Orders for our Defence.

When we reflect on a late Inſtance of your Honour's Candour on the like Occaſion, and the evident Proof you gave a former Aſſembly of a ſincere Inclination to facilitate and expedite Matters, in which the public Welfare was concerned, we have no Room to doubt your Honour will favour us in complying with this reaſonable and neceſſary Requeſt. We

We also further request, that your Honour would be pleased to lay before us the Minutes taken at the last Conference held at *Easton* with *Teedyuscung* and other *Indian* Chiefs, that the Representatives of the People may be acquainted with Matters which so intimately relate to the public Weal and the Peace of the Province." 1756. November 24.

And the Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait upon the Governor, and deliver the same.

A Bill, impowering the Overseers of the Poor to provide for the Maintenance of the *French* Neutrals, and such of the Back Inhabitants as are not able to get their own Livelihood, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

A Supplementary Bill to the Watch and Lamp Act was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, after reading the Message, that he would cause a Copy of the Minutes of the *Indian* Conference, lately held at *Easton*, to be laid before the House as soon as it could be transcribed; but that as to communicating the Proprietary Instructions, he would take some Time to consider of it: That he was determined to act an open and candid Part with the House, and between the Proprietaries and People; and that every Thing that could be reasonably expected from him he would comply with, and was persuaded the House would not desire any Thing more. *November* 25.

Three Petitions (*viz.* from *Patrick Archbold*, *Peter Mather* and *Thomas Roberts*, of the County of *Chester*) representing sundry Grievances they have sustained by Means of the arbitrary Proceedings of *William Moore*, Esq; a Justice of the Peace in said County, and praying Redress, was presented to the House and read, and *Ordered to lie on the Table.*

The Bill to prevent the Exportation of Provisions, naval and warlike Stores to the *French*, was read the second time, and debated; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The House resumed the Consideration of the Bill for preventing the Exportation of Provisions, naval and warlike Stores to the *French*; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, with a Copy of the Proprietaries Fourteenth Instruction to the Governor, which were read, and are as follow, *viz.* *November* 26.

GENTLEMEN,

A Message from the Governor to the Assembly.

'IN Compliance with your late Message, I send you the only one of the Proprietary 'Instructions, of a public Nature, in anywise relating to Matters of Legislation, which 'have not been already laid before you.

'I am as sincerely disposed as you to avoid Delays; and will most readily give my Assent to such Bills, when laid before me, as shall be thought for the Good of his Majesty's Service, and the Defence of this Country.

'The Conferences at *Easton* are copying, and shall be sent you as soon as they are 'finished.

November 26. *WILLIAM DENNY.*"

COPY of the Fourteenth Proprietary Instruction.

Proprietaries 14th Instruction.

WHEREAS we conceive that a regular Militia is absolutely necessary for the Defence of the Inhabitants of our said Province and Counties, in Time of War, and the only permanent Defence which the Inhabitants of the said Province and Counties are capable of supporting, you are to take the first favourable Opportunity to settle a regular and useful Militia within both your Governments; and also to establish a Fort or Battery on some Part of the River *Delaware*, for the Defence of the City of *Philadelphia*, or in any other Part of the said Province or Counties, where it may be thought necessary, for the Security thereof; or to take any other Measures you shall judge necessary for the Defence of the said Province and Counties, so soon as ever you shall find the Houses of Representatives disposed to pass the Laws, and make the Provisions necessary for these Purposes: And in the mean Time, in Case any Exigency shall arise, you are, for the Good and Safety of the said Province and Counties, to train any Number of Men, who shall be willing to unite for the Defence of the Country, to be used and exercised pursuant to the Intention and true Meaning of the Royal Charter granted to our late Father, deceased, and to appoint Officers for them, who are to receive your Orders, and to be accountable to you, as Commander in Chief: But forasmuch as many of the Inhabitants, within the said Province and Counties, scruple to bear Arms, you are to use your utmost Endeavours

1756. November 26. that they may be admitted to furniſh other Perſons in their Stead, or ſome other Equivalent in Lieu of their own perſonal Service.

A true Copy, examined with the Original, by

November 26. 1756. RICHARD PETERS, *Secretary.*"

Three Petitions (*viz.* from *Chriſtian Aberhold*, *Michael Cypher* and *Conrad Rough*, of the County of *Cheſter*) complaining of the arbitrary and illegal Conduct of *William Moore*, Eſq; of ſaid County, and praying Redreſs, were preſented to the Houſe, and read, and *Ordered to lie on the Table.*

The Houſe reſumed the Conſideration of the Bill for prohibiting the Exportation of Proviſions, *&c.* to the *French*; and, after ſome Time ſpent therein,

Ordered, That the ſaid Bill be committed to the Committee who brought it in, for Amendment; and that they add a Clauſe thereto for laying a temporary Prohibition on the Exportation of Proviſions, naval and warlike Stores, to all Places in *America*, not ſubject to the Crown of *Great-Britain*, to take Place immediately after the Paſſing of the Act; and providing, that in Caſe the other Colonies ſhould come into the ſame Meaſure, the ſaid Prohibition may be continued for a longer Time, otherwiſe that the ſame be diſcontinued.

Ordered, That the Clerk do call upon Mr. Secretary for the laſt Act of Parliament relating to Mutiny and Deſertion, *&c.* which the Governor had been pleaſed to ſay he would ſend to the Houſe, the Committee appointed to prepare a Bill for quartering and billeting of Soldiers not having been able to complete the ſame for want of the ſaid Act.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Bill for the Maintenance of the *French* Neutrals, *&c.* was again read, and conſidered; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

November 27. Three Petitions (*viz.* from *John Francis*, *Jacob Grove* and *Dennis O'Neal*, of the County of *Cheſter*) againſt *William Moore*, Eſq; of the ſaid County, complaining of ſundry unjuſt and illegal Proceedings, were preſented to the Houſe, and read, and *Ordered to lie on the Table.*

The Supplementary Bill to the Act for regulating and continuing the Nightly Watch, *&c.* was read the ſecond time; and, after ſome Time ſpent therein, it was committed to the Committee who brought it in, for Amendment.

Ordered, That Mr. *Galloway*, Mr. *Walker*, Mr. *Gibbons*, Mr. *Aſhbridge*, Mr. *Wayne* and Mr. *Pyle*, have Leave to be abſent the Week enſuing, on urgent Buſineſs.

Adjournment. Then the Houſe adjourned to next *Tueſday*, at Three o'Clock in the Afternoon.

November 30. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem. The Governor, by Mr. Secretary, ſent down to the Houſe the Minutes of the Conferences lately held with the *Indians* at *Eaſton*.

A Petition from *William Plumſted*, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that at an Election held at *Eaſton*, in the County of *Northampton*, on the Twenty-fifth of *October* laſt paſt, the Petitioner was elected by the Freemen of the ſaid County, to repreſent them in Aſſembly for this preſent Year, by a Majority of near two to one, and regularly returned to the Houſe by the Sheriff of the ſaid County, according to the Laws of this Province in ſuch Caſe made and provided; that the Petitioner, agreeable to his Duty, appeared ſoon afterwards in this Houſe to take his Seat, in Conſequence of the ſaid Election, and was ready to take the Qualifications required by Law for that Purpoſe, but was informed by the Houſe, that a Petition from three (only) of the Inhabitants of the ſaid County had been exhibited, complaining, that the ſaid Election was unfair and illegal; wherefore the Petitioner underſtands it was the Senſe of this Houſe, that the Petitioner ſhould not be admitted to ſit till the ſaid Complaint ſhould be heard and determined; he therefore ſubmits to the Houſe, whether it is agreeable to the conſtant Uſage of Parliament, and Practice of former Aſſemblies of this Province, by which a Member returned is admitted to take his Seat in the Houſe until undoubted Proof is made that he was unduly elected; that the Petitioner is informed a Day is appointed to examine Witneſſes in Support of the ſaid Petition, when, he hopes, and deſires, as his Right of ſerving his Country in a Legiſlative Capacity (which is one of the higheſt Privileges of an *Engliſhman*) is to be determined, he ſhall have an Opportunity of being heard by Counſel in the Defence of his Right; and as he cannot poſſibly be prepared to make ſuch Defence without being previouſly acquainted with the Nature of the ſaid Charge, he requeſts the Houſe will order him to be furniſhed with a Copy of the ſaid Petition. *Ordered to lie on the Table.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 1. A Petition from ſundry Tavern-keepers in *Lancaſter*, praying that the Houſe would allow

allow their Accounts for Diet furnished the voluntary Militia on their March last Year to *Harris's* Ferry, was presented to the House and read, and

Ordered to lie on the Table.

1756. *December* 1.

The Minutes of the *Indian* Conferences at *Easton*, sent down by the Governor Yesternight, were read, and ordered to lie on the Table for the Perusal of the Members.

The Petition from *William Plumsted*, and the Petition from *John Jones* and others of *Northampton* County, were again read, and considered; and, after some Time spent therein.

Ordered, That the Clerk do give a Copy of the Petition from the said *Jones* and others to *William Plumsted*; and that the said *Plumsted* have Leave to be heard by Counsel, agreeable to the Prayer of his Petition.

Then the House adjourned to Three o'Clock, *P. M.*

A djournment *Post Meridiem*

The House went upon the Consideration of the Bill for providing for the *French* Neutrals, *&c.* and, after some Time spent therein, the same was referred to the Committee who brought it in, for Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *December* 2.

Upon Motion made, that the House would determine how the Costs, arising upon the Hearing of the Merits of the late Election of a Representative for the County of *Northampton*, and the Charges of the Evidences who are summoned to attend the same, are to be paid, it was, after some Time spent in Consideration thereof,

Ordered, That Mr. *Baynton*, Mr. *Franklin*, Mr. *Denormandie*, Mr. *Ashbridge*, Mr. *James Wright*, Mr. *John Wright*, Mr. *Allen* and Mr. *Yorke* be a Committee to inspect the Journals of the House of Commons for Precedents relating to the Payment of such Costs and Charges as attend controverted Elections, and report thereon to the House.

The House were informed that *John Jones*, and the other Petitioners against the Election of *William Plumsted*, with their Evidences, were attending, according to the Order of the Committee of Elections; and having heard that the said *Plumsted* had presented a Petition to the House, desiring to be heard by Counsel concerning the said Election, they requested that the same Liberty might be granted to them; and likewise that they migt have a Copy of the said *Plumsted's* Petition; which was accordingly agreed to, and directed by the House.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Committee to whom the Bill for preventing the Exportation of Provisions, naval and warlike Stores to the *French*, was committed for Amendment, reported the same to the House and it was read, with the Amendments, the first time, and ordered a second Reading.

A Bill extending several Sections of the Act of Parliament for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, was brought in by the Committee appointed to prepare a Bill for the Quartering and Billeting of Soldiers, and read the first and second time, by special Order; and after some Time spent in Consideration thereof, the same was referred to further Consideration till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *December* 3.

The Committee appointed to inspect the Votes of the House of Commons, for Precedents relating to the Payment of Costs and Charges attending controverted Elections, made a Report in Writing, which was read, and is as follows, *viz.*

Report relating to Costs on controverted Elections.

IN Obedience to the Order of the House, we have examined the Votes of the House of Commons, and do find the following Precedents relating to the Charges and Expences arising in Cases of Complaint enquired into by the House.

In the Parliament of the Twenty-first of JAMES I. the Mayor of *Arundel* having misbehaved himself in the Election of a Burgess for that Town, was sent for, and ordered to pay the Charges of the Witnesses, to be assessed by three Members.

In the Eighteenth and Nineteenth of the same Reign, a Constable of *York* was sent for up, and accused of Misdemeanors; but being acquitted, he had *Five Pounds* ordered him for his Charges.——Also one *Napper* being committed to the Serjeant for serving a Subpœna on Mr. *Brereton*, was dismissed, after paying Costs to Mr. *Brereton*, and due Fees to the Officers of the House.

In the Fourth of CHARLES I. the Sheriff and one of the Aldermen of *York*, having conducted an Election illegally, to the Prejudice of Alderman *Hoy*, a Candidate, were ordered to pay all the Charges of the Witnesses of the said *Hoy*, to be assessed by four of the Committee.

In 1699, *March* 9, *Thomas Hawksly* and *Roger Hunt*, Overseers of the Poor for *Nottingham*, being summoned to attend the Committee of Privileges and Elections, by *George Gregory*, Esq; Petitioner against *Robert Sacheverell*, Esq; prayed that they might be relieved for their Charges in coming to Town, Expences in Town, and returning home. And it was ordered, that the said *Gregory* do pay the Petitioners their reasonable Charges, to be assessed by the Chairman of the Committee.

In

1756. *December* 3.

In 1711, the 22d of *March*, a Complaint being made to the Houſe, that *John Cunningham* was ſummoned in Behalf of Major General *Hamilton*, to attend the Committee of Privileges and Elections, to teſtify his Knowledge touching the late Election of a Member to ſerve in Parliament; and that Major General *Hamilton* refuſes to pay him his reaſonable Charges for his Journey and Attendance; it was ordered that the ſaid *John Cunningham* have his reaſonable Charges for his Journey and Attendance on the Committee, to be aſcertained by the Chairman.

In 1715, *September* 8, *Anne Cater*, *John Burton*, *James Coot* and *Stephen Norman*, praying that they may be relieved for their Charges in coming up and ſtaying in Town; being ſummoned as Witneſſes by *John Hervey*, Eſq; to attend the Hearing of the Merits of the Election for the County of *Bedford*; and the ſaid *Hervey* having refuſed to give them reaſonable Satisfaction, it was ordered that the ſaid Mr. *Hervey* do pay the Petitioners their reaſonable Charges, to be ſettled by Mr. Speaker.

In 1717, *June* 18, *Thomas Prowſe*, Steward of the Manor of *Minehead*, complained, that he was required, by a Warrant from Mr. Speaker, to permit *George Speke*, Eſq; or his Agents, to inſpect the Rolls of the ſaid Manor, and to take Notes or Copies therefrom, and to attend the Houſe with the ſaid Rolls; and that he did appear accordingly, and was examined; but that Mr. *Speke's* Agent refuſed him reaſonable Satisfaction for the ſame; and praying Relief, it was ordered, that the ſaid *Prowſe* be paid his reaſonable Charges, to be ſettled by Mr. Speaker.

In 1695, *December* 21, It was reſolved, that Sir *George Meggot*, having prefered to the Houſe a groundleſs and vexatious Petition, relating to the Election of Members to ſerve in Parliament for *Southwark*, do make Satisfaction to the Members he petitioned againſt for the Coſts and Expences they have been put to by Reaſon of ſuch Petitions.

In the ſame Year, *March* 4, It was reſolved, that Sir *Richard Gipps*, having prefered to the Houſe a frivolous, vexatious and groundleſs Petition, relating to the Election of Members for *Totneſs*, be taken into Cuſtody of the Serjeant, and make Satisfaction to the Members he petitioned againſt, for the Coſts and Expences they have been put unto by reaſon of ſuch Petition.

The Votes of Parliament being voluminous, and moſtly without Indexes, theſe are all the Precedents that the Committee, in ſo ſhort a Time, have been able to find relating to the Payment of Witneſſes Charges. Many there are in which no Application appears for the Payment of ſuch Charges, nor any Determination wo ſhould pay them; but whether there are any Determinations different or contrary in like Caſes, we cannot ſay. Theſe, without preſuming to make any Remarks upon them, are humbly ſubmitted to the Conſideration of the Houſe, by

December 3, 1756.

JOHN BAYNTON,
BENJAMIN FRANKLIN,
JOHN ABRAHAM DENORMANDIE,
GEORGE ASHBRIDGE,
JAMES WRIGHT,
JOHN WRIGHT,
WILLIAM ALLEN,
THOMAS YORKE."

And the foregoing Report being again read, and conſidered,

Reſolved, That in all Cauſes and Complaints proper to be enquired into, heard and determined by the Aſſembly, wherein Witneſſes are ſummoned to attend, it is the undoubted Right of this Houſe, on Application made for that Purpoſe, to aſſeſs and aſcertain the reaſonable Coſts and Expences of ſuch Witneſſes and others, ſummoned to attend the Houſe, and order Payment thereof, together with the Officers Fees, to be made by ſuch Perſons as it ſhall appear to the Houſe ought in Juſtice to pay the ſame.

The Houſe reſumed the Conſideration of the Bill, entituled, *An Act for extending ſeveral Sections of an Act of Parliament paſſed in the Twenty-ninth Year of the preſent Reign entituled, An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters*; and, after ſome Time ſpent therein, the ſame was ordered to be tranſcribed for a third Reading.

And the ſaid Bill being accordingly tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton*, do carry up the ſame to the Governor for his Concurrence.

The Committee of Elections and Privileges report, that they had examined the Sheriff of *Northampton* County, relating to his Return of a Repreſentative for the ſaid County, and ſhould have made ſome further Progreſs in the Matters referred to them, but that the Parties requiring Summonſes for a conſiderable Number of Evidences, who would not attend without, they had poſtponed the Time for hearing the Merits of the Election, and had granted Summonſes for the Witneſſes, according to the Requeſt of the Parties; that both Parties were now attending with their Witneſſes, and requeſted to be heard by Counſel: The Committee therefore moved, that the Houſe would determine whether the ſaid Parties ſhould be heard at the Bar of the Houſe, or before the Committee?

And the Houſe taking the ſame into Conſideration,

Ordered,

1756.

Ordered, That both Parties, with their Counsel, be heard at the Bar of the House at Four o'Clock this Afternoon, and that the Clerk do give them Notice thereof.

Then the House adjourned to Three o'Clock, *P. M.*

December 3. Adjournment *Post Meridiem*

The Gentlemen appointed to carry up the Bill for Quartering and Billeting of Soldiers reported, that they had delivered the same according to Order; and that the Governor was pleased to say, he would give it all the Dispatch in his Power.

John Jones, and others, Petitioners against the late Election in *Northampton* County, the Sheriff of said County, and *William Plumsted*, with their respective Evidences, attending, according to the Order of the House, were called in; and were acquainted by Mr. Speaker, that the House were ready to enter upon the Hearing of the Merits of the said Election.

John Jones informed the House, that he had, in Pursuance of the Leave granted him by the House to be heard by Counsel, applied to several Gentlemen of the Law for that Purpose, but had not been able to procure any to appear for him.

The Attorney-General acquainted the House, that he appeared as Counsel for *William Plumsted*, if the House had no Objection thereto.

The House informed him they had no Objection.

He then moved that the House would, previous to their entering upon the Examination of the Witnesses, admit Mr. *Plumsted* to a Seat in the House; and produced some Authorities to shew, that in the House of Commons the Person returned sat as a Member till the Legality of the Election was determined. He further added, that his Reason for making this Motion was not to occasion any Delay, but because he understood that the House had had this Matter already under their Consideration, and had not as yet come to any Determination thereupon.

Mr. Speaker informed the Counsel, that as what he moved did not relate to the Merits of the Dispute, he could return no Answer till he had taken the Sense of the House thereupon.

Then the Parties were ordered to withdraw.

And the House taking the Motion of the Counsel into Consideration,

Resolved, That the Parties be again called in, and that Mr. Speaker acquaint the Counsel, that the House are fully satisfied that their Conduct hitherto, with Regard to their Proceedings upon this Election, was Parliamentary; and have determined, that, as this is the Day appointed for hearing the Merits of the Election in Dispute, the Parties shall immediately proceed upon the Examination of their respective Evidences.

And the Parties being called in, were acquainted with the said Resolution accordingly.

John Jones, one of the Petitioners, moved, that, as he had not been able to obtain Counsel, he might be allowed to have a Freeholder to assist him; which being agreed to by the House, he requested the Aid of Mr. *Israel Pemberton*, one of the Bystanders; but he declining it on Account of his being unacquainted with the Particulars of the Affair in Dispute, the said *Jones* said he would proceed by himself in the best Manner he was capable.

Then *Thomas Owen*, one of the Witnesses brought down on this Occasion, was examined upon his solemn Affirmation, touching what he knew concerning the late Election in *Northampton*; but as in the Course of his Examination sundry Questions were asked him relating to the Notice required by Law to be given by the Sheriff of the Time the Election was to be held, the Counsel moved, that that Matter might not be enquired into, as it was not one of the Charges mentioned in the Petition against the Validity of the Election, and it could not be expected that he or his Client should come prepared to answer any other Matters than what were contained in those Charges: That proceeding in the present Manner was extremely improper, and might be productive of many Inconveniences.

Mr. Speaker said, he would take the Opinion of the House thereupon.

And then the Parties were ordered to withdraw.

And the House taking the Motion of the Counsel into Consideration,

Resolved, That the Legality of Elections is a Matter in which every Freeman in the Province is interested, and every Enquiry which tends to shew in what Manner the same have been conducted is proper; therefore the House will proceed in examining the Witnesses in the Way they have begun; and in Case any Matters shall arise in the Course thereof, which either of the Parties are not prepared to answer, the House will, upon Application, allow them any reasonable Time that they may require for that Purpose.

And the Parties were called in, and acquainted with the foregoing Resolution.

Ordered, That the further Hearing of the Merits of the *Northampton* Election be deferred till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *December* 4.

The House proceeded to the further Hearing of the Merits of the *Northampton* Election, and *Jacob Yont*, one of the Evidences, was examined on Oath; also *Samuel Mechlin*,

1756. *December* 4. one of the Petitioners, on his ſolemn Affirmation: —— And the Counſel having put ſeveral Queſtions to the latter, touching the Riſe of the Petition, which were thought to have a Tendency to make him criminate himſelf, in Caſe any indirect Practices had been uſed therein, it was objected that he ought not to be obliged to anſwer ſuch Queſtions; — and a Debate ariſing thereupon, the Parties were ordered to withdraw; which they did accordingly.

Reſolved, That no Queſtions be aſked the Witneſſes of either Side, which may tend to make them criminate themſelves; and that therefore all Queſtions ſhall be firſt propoſed to Mr. Speaker, who is to put ſuch of them as he judges not to have that Tendency.

The Parties were called in, and acquainted with the ſaid Reſolution.

The Counſel then moved, that he might have the Opinion of the Houſe, whether *Mechlin* might not be aſked what he knew concerning any indirect Meaſures taken to induce *Brown*, another of the Petitioners, to ſign the Petition?

Mr. Speaker told the Counſel, that the ſame Objection lay againſt that Queſtion as the former, for if *Mechlin* knew of any indirect Meaſures having been taken to get the Petition ſigned, it muſt appear wrong in him to ſign it himſelf: Beſides, as the Affair was now before the Houſe, and in a Way of being ſtrictly examined into, it mattered not whether it took its Riſe from one or more Perſons; for if the Houſe found, after hearing what could be alleged by both Parties, that the Trouble and Expence the Province is put to in enquiring into this Affair, was occaſioned by a groundleſs and vexatious Petition, they ſhould take ſuch Meaſures as would effectually puniſh the Author or Authors thereof.

Then the Counſel deſired to know, whether he might aſk any other of the Evidences concerning *Jones's* and *Mechlin's* Conduct, with Regard to the Petition?

And he was anſwered, by Mr. Speaker, that he might.

And the Houſe having gone through with *Mechlin's* Examination,

Ordered, That the further Hearing of the Merits of the *Northampton* Election be deferred till *Tueſday* next, at Ten o'Clock in the Morning.

Ordered, That Mr. *Blackledge* have Leave to be abſent the next Week on urgent Buſineſs; and that Mr. *Denormandie*, Mr. *Melvin* and Mr. *Owen* have Leave to be abſent till *Tueſday* next.

Adjournment. Then the Houſe adjourned to next *Monday*, at Three o'Clock in the Afternoon.

December 6. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem. The Governor, by Mr. Secretary, ſent down to the Houſe a Letter from *Conrad Weiſer*, and a Petition to his Honour from *Heidelberg* Townſhip, mentioning a Murder lately committed by the *Indians* in ſaid Townſhip, *&c.* which were read, and ordered to lie on the Table for the Peruſal of the Members.

The Committee to whom the Bill for providing for the Maintenance of the *French* Neutrals, *&c.* was committed for Amendment, reported the ſame to the Houſe, with ſundry Amendments and Alterations they had made therein; and the ſame was read the firſt time, and ordered a ſecond Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 7. The Houſe again proceeded upon hearing the Merits of the *Northampton* Election; and, after a conſiderable Time ſpent in the Examination of *John Rinker*, the Sheriff of ſaid County, the further Hearing thereof was deferred to the Afternoon.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. *Ordered*, That Mr. *Owen* and Mr. *M'Connaughy* wait upon the Governor, and acquaint him, that the Houſe deſire to know when they may expect his Reſult upon the Bill for Billeting and Quartering of Soldiers.

The Houſe proceeded to the Hearing of the Merits of the *Northampton* Election; and having gone through the Examination of *John Rinker*, the Sheriff of ſaid County, the further Hearing of the Merits of ſaid Election was adjourned till To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe return, and report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would ſend a Meſſage to the Houſe within an Hour.

The Governor, by Mr. Secretary, ſent down to the Houſe the Bill for Quartering and Billeting of Soldiers, with a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ‘ I AM ſorry to find myſelf at this critical Time under the Neceſſity of ſending back your Bill, entituled, *An Act for extending ſeveral Sections of an Act of Parliament in the Twenty-ninth Year of his Majeſty's Reign, entituled, An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters:* This Bill being the ſame as that lately repealed by his Majeſty in Council, with this only Difference, that the Preamble is left out, and the Subſtance thereof, which is chiefly

‘ objected

1756.

'objected to in the Repeal, is inserted in the Body of it, by extending the Twenty-fourth 'Section of the said Act of Parliament.

December 7, 1756. *WILLIAM DENNY.*"

December 7.

And the same being again read, and considered, the House agreed not to extend hither that Part of the Twenty-fourth Section of the Act of Parliament objected to by the Governor, but that the same should be struck out of the Bill for Quartering of Soldiers within this Province; and it was done accordingly.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor with the said Bill, and acquaint him, that the House have agreed to strike out the Part objected to by his Honour, and desire to know, in Case he shall agree to pass the Bill as it is now altered, when the House shall wait upon him for that Purpose.

The Gentlemen return, and report, that they had delivered the Bill for Quartering of Soldiers, and the Message of the House, according to Order, and that the Governor was pleased to say he would again consider the said Bill, and give it all the Dispatch in his Power: And being informed by the Members, that the House were in Hopes, as they had made all the Alteration proposed by his Honour, that he would this Evening have consented that it should be engrossed, ready to be enacted To-morrow Morning; he replied, that he could not come to any Determination thereupon this Evening.

Then the House adjourned till Ten o'Clock To-morrow Morning.

Adjournment

The Governor, by Mr. Secretary, sent down to the House the Bill for Quartering of Soldiers, with a Message in Writing, which was read, and is as follows, *viz.*

December 8.

GENTLEMEN,

'SINCE your Message of Yesterday Evening, I am well informed, from the strictest 'Enquiry, that the Quarters demanded by my Lord *Loudoun* for the Officers and 'Soldiers that are every Moment expected here, cannot be had in the Public-houses of 'this City. The Bill now before me therefore being insufficient to answer the End 'proposed by it, and the great Inconveniences that may arise if proper Quarters are not 'provided for the Reception of his Majesty's Troops being evident, I must, in the warmest 'Terms, recommend it to you, to make immediate Provision for that Service.

A Message from the Governor to the Assembly.

December 8, 1756. *WILLIAM DENNY.*"

Then Mr. Secretary, addressing himself to the Chair, said,

"*SIR,*

"The Governor commands me to acquaint the House, that if they do not think pro-"per to make any further Provision than what is expressed in the Bill, the Governor "agrees to the Alteration, and is ready to pass it as it now stands."

Ordered, That the said Bill be engrossed.

Ordered, That Mr. *Baynton* and Mr. *Franklin* be a Committee to prepare a Draught of an Answer to the Governor's Message.

Ordered, That the further Hearing of the Merits of the *Northampton* Election be deferred till Four o'Clock this Afternoon.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor; and the same being accordingly done, was again read, and is as follows, *viz.*

May it please your HONOUR,

ON examining the Lists of recommended and licensed Public-houses, we find there are no less than One Hundred and Seventeen in this City only, exclusive of the Suburbs: We hope therefore your Honour will be of Opinion with us, that the Number of Soldiers for which Quarters are required may very well be disposed of among them in the Manner directed by the Act of Parliament now to be extended hither; especially as it is not necessary the Soldiers should all be lodged in the Public-houses, but those who keep such Houses may provide Lodging for the Men in other Houses, if they find it more convenient so to do."

Answer to the Governor from the Assembly.

And the said Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Denormandie* and Mr. *Douglas* wait upon the Governor, and deliver the same; and acquaint his Honour, that the Bill for Quartering of Soldiers is engrossed, and that the House desire he would be pleased to appoint a Member of Council to join a Member of this House in comparing the said Bill with the Original; and further, that he would be pleased to appoint a Time when the House shall wait upon him, in order to enact the same into a Law.

The engrossed Bill was read and compared at the Table.

The Gentlemen return, and report, that they had delivered the Message of the House, according to Order; and that the Governor was pleased to say he would appoint a Member of Council to join with such as should be nominated by this House to compare the

engrossed

1756. engroſſed Bill with the Original; and that he would be at the Council Chamber at One o'Clock, in Order to enact the ſame into a Law.

December 8. *Ordered*, That Mr. *Pearne* and Mr. *Hunt* do meet the Member of Council appointed by the Governor, in order to compare the engroſſed Bill with the Original.

The Gentlemen return, and report, that they had, with a Member of Council, examined and compared the engroſſed Bill with the Original, and found them to agree.

Ordered, That Mr. *Pearne* and Mr. *Hunt* ſee the Great Seal affixed to the Law after it is paſſed, and the ſame depoſited in the Rolls Office.

A Meſſage from the Governor, by Mr. Secretary:

S I R,

" The Governor requires the Attendance of the Houſe in the Council Chamber im-
" mediately, in order to enact into a Law the Bill which he has lately conſented to paſs."

Then Mr. Speaker, with the whole Houſe, waited on the Governor; and being returned, Mr. Speaker reported, that the Houſe had waited upon the Governor with the Bill, entituled, *An Act for extending ſeveral Sections of an Act of Parliament, paſſed in the Twenty-ninth Year of the preſent Reign, entituled, An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters*, to which his Honour was pleaſed to give his Aſſent, by enacting the ſame into a Law.

Adjournment. Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to ſee the Great Seal affixed to the Law after it was paſſed, reported that the ſame was done accordingly; and that it was depoſited in the Rolls Office.

The Houſe again proceeded upon the Affair of the *Northampton* Election; and the Counſel for Mr. *Plumſted* having moved, that in Conſideration of the Time taken up in examining the Witneſſes, and the Houſe having Affairs of great Moment before them, Mr. *Plumſted*, notwithſtanding he was convinced that he was duly elected and returned, was willing to wave his Right to a Seat in this Houſe, if Writs might be iſſued for a new Election, and all further Proceedings on that Affair dropt.

And the Parties being ordered to withdraw, the Houſe went upon the Conſideration of the ſaid Motion; and, after ſome Time ſpent therein, it was

Reſolved, That *William Plumſted* have Leave to withdraw his Petition and Claim to a Right to ſit in this Houſe at this Time.

The Parties were called in, and the Counſel for the ſaid *William Plumſted* was informed of the foregoing Reſolution.

The Counſel having deſired Time till To-morrow Morning to conſider of the Anſwer given by the Houſe to his Propoſal, the ſame was granted by the Houſe; and Mr. Speaker informed the Counſel further, that in Caſe *William Plumſted* ſhould not chuſe to withdraw his Petition and Claim of a Right to ſit in this Houſe, that the Houſe would proceed in the Examination of the Evidences.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 9. The Houſe reſumed the Affair of the *Northampton* Election.

The Counſel for *William Plumſted* acquainted the Houſe, that to prevent Miſtakes he had put his Anſwer in Writing; which, with the Leave of the Houſe, he preſented at the Table.

And the ſaid Paper being read, Mr. Speaker informed the Counſel, that it did not become the Houſe to make Terms with the Petitioner; but if he inclined, agreeable to the Reſolution of the Houſe, to withdraw his Petition and Claim to a Right to a Seat in the Houſe, he might.

The Counſel replied, that he was not impowered to make any further Anſwer than what was contained in the Paper he had preſented to the Houſe.

Ordered, That the Parties withdraw; and they withdrew accordingly.

Then the ſaid Paper was again read; and, after ſome Time ſpent in Conſideration thereof, it was

Reſolved, That the written Anſwer, preſented by the Counſel for *William Plumſted*, is frivolous and evaſive.

Ordered, That both Parties be called in, and that Mr. Speaker do acquaint the Counſel with the foregoing Reſolve, return the ſaid written Paper, and demand a poſitive Anſwer of him, whether he will withdraw the Petition or not *?

And the ſame being done accordingly, the Counſel deſired the Houſe would proceed in

* *The following is a Copy of the Paper preſented by the Counſel for* William Plumſted, *viz.*

Mr. *Plumſted*, though fully convinced that he could clearly ſhew, by indubitable Proofs, that his Election as a Repreſentative for the County of *Northampton* was legal and fair, aſſures the Houſe, that his only Motive in making a Propoſal to wave his Right to a Seat in this Houſe, in Conſequence of ſuch Election, was founded in the Public Good, leſt the Time he finds muſt inevitably be ſpent in proſecuting his Right might obſtruct and retard Matters of the higheſt Concern and Importance to the People of this Province, which he has been informed were before the Houſe when the Petition was prefered againſt him: And though he does not take upon him to make Terms with, or preſcribe Rules to, the Houſe, yet he expected that all further Enquiry would end here, and no more Time be taken up in examining any of the great Number of Witneſſes attending on this Occaſion. But if the Houſe is ſtill deſirous to hear other Proofs, and make any further Enquiry in this Caſe, Mr. *Plumſted* prays the whole Teſtimony may be diſcloſed on both Sides.

December 9, 1756. *A. M.*

in the Examination of the rest of the Witnesses; which being agreed to by the House, *William Parsons* was qualified, and examined; and the further Hearing of the Merits of the *Northampton* Election was deferred till the Afternoon. 1756. *December* 9.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The House again proceeded upon hearing the Merits of the *Northampton* Election; and, after a considerable Time spent in the Examination of *Nathaniel Vernon* and *Jost Fuller*, of *Easton*, in said County, the further Hearing thereof was deferred till To-morrow Morning.

The House taking into their Consideration, that *Nathaniel Vernon*, of *Northampton* County, had, in the Course of his Evidence this Day before the House, mentioned his having received a Letter from the Reverend *William Smith*, Provost of the College of *Philadelphia*, concerning the late Election of a Representative for the said County;

Ordered, That the said *Vernon* do, as soon as he conveniently can, between this and the next Sitting of Assembly, deliver the said Letter to the Speaker of this House.

Upon Motion made,

Ordered, That all the Evidences who have given their Testimony before the House, concerning the *Northampton* Election, have Leave to return to their respective Homes.

Upon Motion made,

Ordered, That *William Parsons*, of *Northampton* County, do send to the Speaker of this House, as soon as may be, the Letterswhich were mentioned by *Nathaniel Vernon*, in the Course of his Testimony, to have been received by the said *Parsons*, concerning the last Election of a Representative for said County, from *Richard Peters*, Esq; Secretary, and other Persons, living in the City of *Philadelphia*.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House again proceeded upon hearing the Merits of the *Northampton* Election; *December* 10. and, after some Time spent in the Examination of *Nicholas Scull*, late Sheriff of said County, the further Hearing thereof was referred to the Afternoon.

In the Course of the last mentioned Examination, *John Jones* produced a Letter, which he said he had received from the said *Nicholas Scull*; and the same being read, the said *Scull* acknowledged it to have been wrote by him.

The said Letter follows in these Words, *viz.*

SIR, *Easton, October* 12, 1756.

I MAKE no Doubt but before this Time you have heard that *Johnny Jennings* has lost the Sheriff's Office. I believe the Reason why, was, that Mr. *Parsons* wrote in *Rinker's* Favour, as I have had some Hints that *Vernon* carried a Letter which he intimated would get *Rinker* the Office. I think, if so, there is no Belief in Mr. *Parsons*; for, a few Days before the Election, Mr. *Parsons* and I had some Talk about them that purposed to set up for the Sheriff's Office, and he then said, that he thought *Johnny* much the fittest, as he was a sober well behaved young Man, and had some Experience of the Office: But you know Mr. *Parsons* is a Man that is not apt to forget any old Difference; and I suppose the Difference between *Johnny's* Father and him is the Reason that he wrote in *Rinker's* Favour, as Mr. *Peters* told me there was no Objection against *Johnny*, only on Account of his Father; and I think he need never set up for the Office any more, for as I told Mr. *Peters* I thought it very hard that any Miss-step of the Father should be thrown at the Son, when he behaved himself well; and the Answer was, That the Iniquities of the Father should be inflicted upon the Children, until the third and fourth Generation. So, if that is the Case, I think that *Johnny* may be easy; for as long as Mr. *Parsons* is in the County he will be against him. I suppose you will see *Johnny* soon, and he will let you know how Things has gone. I am, *Nicholas Scull's* Letter to *John Jones*.

Sir, your humble Servant,
NICHOLAS SCULL.

N. B. *Vernon* and *Rinker* has reported, that *Johnny* and the whole Family were against Mr. *Allen's* coming in the House, which may be some Reason against his not getting the Office."

It being moved, that in the Course of the Evidence already heard concerning the late Election in *Northampton* County, several Things were mentioned touching the Conduct of *William Parsons*, of said County, in that Affair, which it would be necessary for this House to make further Enquiry into; and that it was highly just and reasonable that the said *Parsons* should have an Opportunity of being heard in his own Vindication; it was therefore

Ordered, That the said *Parsons* do attend this House till further Orders.

Ordered, That *Nicholas Scull*, late Sheriff of *Northampton* County, do, as soon as may be, send to the Speaker of this House the Letter which the said *Scull* mentioned in the Course of his Testimony to have received from *Richard Peters*, Esq; Secretary, acquainting him, the said *Scull*, that there was to be a new Election of a Representative for the said County, in the Room of *William Allen*, Esq; who had chosen to serve for the County of *Cumberland*.

1756.

Then the Houſe adjourned to Three o'Clock, *P. M.*

December 10. Adjournment *Poſt Meridiem*

The Houſe again proceeded upon hearing the Merits of the *Northampton* Election; and, after a conſiderable Time ſpent in going through the Examinations of *James Ralſton*, *Lewis Klotz*, *Adam Deſhler* and *Hugh Wilſon*, Inhabitants of ſaid County, the further Hearing thereof was referred to To-morrow Morning.

William Parſons having applied to the Houſe for Leave to return Home, as he was a public Officer, and ſhould be wanted at the enſuing Court, now near at hand; he was informed by Mr. Speaker, that the Houſe were willing to hear at this Time, if he thought fit, any Evidence he might have to produce in Vindication of his Conduct on the late Election of a Repreſentative for *Northampton* County. To which he anſwered, that as the Evidences neceſſary to clear up his Conduct in that Affair were not now preſent, he deſired he might be allowed to return Home, and he would attend again with his Evidences at any Time the Houſe ſhould think fit to appoint.

Ordered, That the ſaid Parſons have Leave to return Home; and that he attend the Houſe at ſuch Time as ſhall be hereafter appointed for that Purpoſe.

It being moved, that ſome Method ſhould be fallen upon to ſhorten the future Proceedings of the Houſe on the Affair of the *Northampton* Election, the Houſe went upon the Conſideration thereof; and, after ſome Time ſpent therein, it was referred to farther Conſideration.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 11.

The Houſe reſumed the Conſideration of the Motion for ſhortening the Proceedings on the *Northampton* Election; and, after ſome Time ſpent therein, it was

Reſolved, That both Parties be called in, and that Mr. Speaker acquaint them, that the Houſe having ſpent much Time in hearing Witneſſes, many of whom have ſaid nothing, or but little to the Points material and eſſential to the Determination of this Controverſy, have reſolved that both Parties ſhall immediately proceed to examine Witneſſes, if any ſuch they have, to ſatisfy the Houſe in the four following Points, as they conceive them to be the only material Points ariſing in this Enquiry.

1ſt, To ſhew whether the timely Notice, required by Law, was given by the Sheriff to the Inhabitants of the County before the Election?

2dly, Whether the Election was held by proper Perſons or Judges, qualified as the Law directs?

3dly, Whether the Inſpectors were furniſhed with the alphabetical Liſts of the Taxables of the reſpective Townſhips, and wrote [*Voted*] on them, according to Law?

4thly, To produce ſuch alphabetical Liſts, if ſuch there were made uſe of at the Election.

And the Parties were called in, and acquainted with the foregoing Reſolve accordingly.

The Counſel for *William Plumſted* thereupon informed the Houſe, that they did not know at firſt what might be objected to the Validity of the Election, except what was contained in the Petition from *Jones* and others, and had therefore only come prepared with Evidence to anſwer the Allegations contained in the ſaid Petition; that, however, with ſuch accidental Evidence as they now had, they would endeavour to ſatisfy the Houſe in the four Points they had agreed upon.

The Counſel having alſo moved, that the Houſe would give him Leave to ſhew how the Petition againſt the Election took its Riſe; he was informed by Mr. Speaker, That that was not a Matter which concerned the Merits of the Diſpute, and that he muſt confine himſelf to the Points which had been ſettled by the Houſe.

Mr. Speaker moreover informed the Counſel, that as he had acquainted the Houſe that he had not come prepared to anſwer any other Points than what were contained in the Petition from *Jones* and others, the Houſe would, if he deſired it, give him Time till the next Sitting of Aſſembly, for that Purpoſe.

To which the Counſel anſwered, That they would firſt produce what Evidence they had to the four Points agreed upon, and if they ſhould find it not ſufficient, and were of Opinion they could produce more, that then they would requeſt further Time for that Purpoſe.

Then the Houſe proceeded upon the Hearing of the Merits of the *Northampton* Election; and, after ſome Time ſpent in going through the Examinations of *Frederick Koon*, *John Cook*, *Alexander Miller* and *Conrad Heſs*, of the ſaid County, the further Hearing thereof was referred to the Afternoon.

The Counſel for *William Plumſted* moved, that, as he found himſelf indiſpoſed, he might have Leave to ſend a Perſon to take Notes in his Place this Afternoon; to which the Houſe agreed.

Adjournment

Then the Houſe adjourned to Four o'Clock *P. M.*

Poſt Meridiem

The Houſe again proceeded upon hearing the Merits of the *Northampton* Election, and having gone through the Examinations of *Andreas Oſtrum*, *George Rex*, *Thomas Huntzaker*, *George Kerſner*, *David Behringer*, *Jacob Taylor*, *Matthias Riggle* and *John Bechtal*, the Petitioner, *John Jones*, moved, that he might be allowed to give his Evidence; but this was objected to by *William Plumſted*, who moved, that as the Evidence

of

of the said *Jones* might be of considerable Importance with regard to the Matter in Dispute, the taking thereof might be deferred till his Counsel could attend, in order to cross-examine him. 1756. *December* 11.

The said *Plumsted* being asked, Whether he had any more Evidences to be examined, answered, that he had not any more present; but he expected more, particularly one *Thomas Armstrong* (to whom he had given Leave to go out of Town for a Day or two to see a Relation, about ten or twelve Miles off) would be here by *Tuesday* next, who he should like to have examined; and he hoped that the House would postpone any farther Proceedings on this Affair to that Time, when he imagined that his Counsel would be able to attend.

The Sheriff of *Northampton* County, and *John Jones*, the Petitioner, informed the House, that it would be extremely inconvenient for them to wait in Town till *Tuesday* next, after having been so long from their respective Homes, and desired, that if the Merits of the Election for said County was not now to be determined, they might be discharged from any farther Attendance on the House at present, and they would readily come down again at such future Time as the House should appoint for a Determination.

Several of the Evidences, who had been examined, likewise made the same Request to the House.

Ordered, That the Parties do withdraw; and they withdrew accordingly.

The House taking into Consideration, that *William Plumsted* had desired farther Time to bring more Evidence, relating to the several Points which the House had agreed to have determined; and that the House had now before them Business of the utmost Consequence to the Welfare of this Province, which will not admit of any longer Delay; it was thereupon

Resolved, That the further Hearing of the Merits of the *Northampton* Election be deferred to such future Time as shall be hereafter settled by this House; and that when the said Time for the further Hearing shall be so settled, the Clerk do give Notice thereof to both Parties.

Ordered, That the Sheriff, *John Jones*, and the Evidences now in Town, have Leave to return to their respective Homes.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *December* 13. *Post Meridiem*

A Remonstrance from the Mayor, Recorder and Aldermen of the City of *Philadelphia*, with a Paper annexed, were presented to the House, and read, and are as follow, *viz.*

To the Honourable the REPRESENTATIVES of the Freemen of the Province of *Pennsylvania*, now sitting in Assembly,

The REMONSTRANCE of the Mayor, Recorder and Aldermen of the City of Philadelphia, *sheweth*,

THAT your Remonstrants have prepared Billets on the Public-houses of this City, according to the Directions of a late Act in such Case made and provided, for such of his Majesty's Forces as Lord *Loudoun* hath been pleased to order into Winter Quarters here; but we find, on the strictest Enquiry into the Circumstances of the Keepers of such Public-houses, that many of them are so poor and indigent, that they are neither of Ability to support the Burden of providing for so great a Number of Troops, or have proper Houses and Accommodations suitable for their comfortable Reception. We further beg Leave to remonstrate, that the commanding Officer hath demanded a Hospital, with Bedding, Fire, and other Necessaries, to be provided for a Number of Sick; but as no public Building hath been erected in this City for that Purpose, your Remonstrants, though willing and desirous to do every Thing in their Power to demonstrate their Loyalty to his Majesty, and to promote the Good of his Service, are sorry to find themselves incapable of complying with this Demand, without the Aid and Assistance of the Legislature of this Province: We therefore thought it our Duty to lay the Premises before you our Representatives, that such Regulations and Provision may be made therein as you in your Wisdom shall judge most expedient. Remonstrance from the Mayor, &c. of *Philadelphia*.

City of *Philadelphia*, *Dec.* 11, 1756.

ATTWOOD SHUTE, Mayor,
BENJAMIN CHEW, Recorder,
WILLIAM PLUMSTED,
ROBERT STRETTELL,
JOHN MIFFLIN,
JOHN STAMPER,
THOMAS LAWRENCE,
ALEXANDER STEDMAN."

Captain TULLEKEN's *Demand of Quarters*, &c.

IN Obedience to Orders received from his Excellency the Earl of *Loudoun*, Colonel *Stanwix* has thought proper to send Captain *Tulleken* to *Philadelphia* to demand Quarters for the First Battalion of his Majesty's Sixty-second, or *Royal American*, Regiment. Demand of Quarters.

Captain

1756. Captain *Tulleken* demands Quarters as follows:

December 13. Quarters for 500 Men; a Hoſpital for the Sick; a Store-houſe; a Guard-room for an Officer and Men.

Billets for the Officers.

Colonel one; Lieutenant-Colonel one; Majors one; Captains eight; Subalterns thirty; Staff-Officers ſix. Total Forty-ſeven.

N. B. There muſt be Fire and Candles for the Guard-room, and for the Hoſpital.

Beſides the above, Captain *Gate's* Company of Independents, Forty-ſeven Men, four Officers.

The Whole have Billets delivered them on the Public-houſes.

December 13, 1756. ATTWOOD SHUTE, Mayor.

And the Houſe taking the foregoing into Conſideration,

Ordered, That the Clerk do acquaint the Mayor of the City of *Philadelphia*, that the Houſe require him to lay before them a Liſt of the Names of the Public Houſe-keepers, with the Number of Officers and Soldiers billeted on each Houſe in the ſaid City.

Adjournment Then the Houſe adjourned to Half an Hour after Nine o'Clock To-morrow Morning.

December 14. The Clerk reported, that he had, according to the Order of the Houſe, acquainted the Mayor, that the Houſe required him to lay before them a State of the Billeting of the Soldiers now in this City; who ſaid, that as ſeveral of the Tavern-keepers had already reſigned, and he expected that many more would do the ſame before Night, it would be of little Service to make out the ſaid State immediately; but that he would do it either this Evening or To-morrow and deliver the ſame to the Houſe, or to Mr. Speaker.

The Bill for impowering the Overſeers of the Poor of this Province to make Proviſion for ſuch of the Inhabitants of the Frontier Counties as are reduced and unable to maintain themſelves and Families, and cannot be ſupported by the Townſhips in which they had gained a Settlement; and to enable the Overſeers of the Poor for the Counties of *Philadelphia*, *Bucks*, *Cheſter* and *Lancaſter* to ſupport the Neutral *French*, and bind out their Children, was read the ſecond time; and after ſome Time ſpent therein, it was ordered to be referred to the Committee who prepared the ſame, in order to be formed into two ſeparate Bills; and Mr. *Denormandie* was added to the ſaid Committee.

Ordered, That Mr. *Galloway* and Mr. *Maſters* be a Committee to prepare and bring in a Bill for continuing the Act for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor's Eſtimates of the Supplies neceſſary for the current Year were again read, and conſidered; and, after ſome Time ſpent therein, the ſame were referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 15. Six Petitions (*viz.* from *Adam Rutter*, *William Fox*, *John M'Nomee*, *Humphrey Waine*, *Theophilus Thomas* and *Roger Martin*, of the County of *Cheſter*) praying that this Houſe would grant them Redreſs in ſundry Grievances, occaſioned by the arbitrary and oppreſſive Conduct of *William Moore*, Eſq; one of the Juſtices for ſaid County, were preſented to the Houſe and read, and *Ordered to lie on the Table.*

The Houſe went upon the Conſideration of the Supplies neceſſary to be granted for the current Year: and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe again reſumed the Conſideration of the Supplies neceſſary for the current Year; and, after ſome Time ſpent therein,

Reſolved, That a Supply of *One Hundred Thouſand Pounds* be granted to his Majeſty for the Service of the current Year.

Reſolved, That this Houſe will To-morrow Morning reſolve itſelf into a Committee of the whole Houſe, to conſider of Ways and Means for raiſing the Supply granted to his Majeſty.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 16. The Order of the Day, for the Houſe to reſolve itſelf into a Committee of the whole Houſe, to conſider of Ways and Means for raiſing the Supply granted to his Majeſty, being read,

The Houſe accordingly reſolved itſelf into the ſaid Committee; and, after ſome Time ſpent therein, Mr. Speaker reſumed the Chair; and Mr. *Leech* reported from the Committee, that they had made ſome Progreſs in the Matters referred to them, but not having Time to go through the ſame, they had directed him to move for Leave to ſit again in the Afternoon.

Reſolved, That this Houſe will, this Afternoon, reſolve itſelf into a Committee of the whole Houſe, to conſider further of Ways and Means for raiſing the Supply granted to his Majeſty.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

The

1756.
December 16. *Post Meridiem*

The House (according to Order) resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had made some farther Progress in the Matters referred to them and had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

The House taking into Consideration, that it would be necessary that an Hospital be provided for the Use of the sick Soldiers that are, or may be, in this Province;

Resolved, That it be recommended to the Commissioners for disposing of the *Thirty Thousand Pounds*, lately granted to the King's Use, to make Provision for the Expence thereof, with the necessary Utensils.

Ordered, That Mr. *Leech*, Mr. *Franklin*, Mr. *Walker*, Mr. *Ashbridge*, Mr. *Carpenter*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of a Message to the Governor, concerning the Report now prevailing in the City of the Governor's having given Orders for Quartering of Soldiers upon private Houses.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

December 17.

The Order of the Day, for the House to resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty, being read,

Resolved, That this House will, this Afternoon, resolve itself into the said Committee.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Committee appointed to prepare a Draught of a Message to the Governor, reported the same to the House; and, being read, it was agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

And the said Message being accordingly transcribed, was again read, and is as follows, *viz.*

May it please your HONOUR,

A Message to the Governor from the Assembly.

A REPORT having Yesterday prevailed in Town, that your Honour had given Orders to the Sheriff to quarter the Soldiers on private Houses, which greatly surprised the Inhabitants, the House (though they do not believe it possible your Honour could be prevailed with to issue Orders so diametrically opposite to an express Law passed by yourself but a few Days before) think it necessary on this Occasion humbly to request, that your Honour would be pleased to direct the Magistrates and Officers of the City and Liberties, who have billeted the Soldiers on Public-houses, according to Law, to visit those Houses, inspect the Accommodations provided for the Men, see that they are good and sufficient, and oblige every Public House-keeper to receive, and provide for, the Officers and Soldiers that are or may be billeted on each House, in Proportion to the Number for which Quarters are required, either in the Public-houses, or such others as the Keepers of them may procure; so that the Minds of the People may be quieted, and no just Cause of Complaint may arise, that Quarters, and the Necessaries in Quarters, are not duly provided, according to the Intention of the Legislature in passing that Act.

The House have recommended it to the Provincial Commissioners to provide an Hospital for the Soldiers, which we make no Doubt will be done accordingly." *

The foregoing Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor, and deliver the same.

The House, according to Order, resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had made some further Progress in the Matters referred to them, but not having gone through the same, they had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return, and report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he would give it all due Attention, and return an Answer to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

December 18.

A Petition from *Philip Knight*, of the County of *Lancaster*, was presented to the House and read, setting forth, that the Petitioner is confined in Goal for Debt; that he

* A very convenient Guard-house was before provided at the Expence of the Province.

1756. *December* 18. he has already delivered up all his Goods and Effects, and what Debts were due to him, to his Creditors, and has nothing left him to ſupport himſelf in his Confinement; that he is upwards of Fifty Years of Age, and has a Wife near the ſame Age, incapable of getting her Livelihood; that the Petitioner is a Smith by Trade, and having always been uſed to work hard, his different Manner of living ſince his Confinement has rendered him very ſickly; that the Petitioner had three very good Workmen who inliſted in the King's Service, which has been the chief Cauſe of his Ruin; that he has done all in his Power to compromiſe Matters with his Creditors, but without Succeſs, they ſaying they would keep him in Goal till he rotted; the Petitioner therefore prays, that this Houſe would take his deplorable Caſe into Conſideration, and grant him Relief, by paſſing ſuch an Act in his Behalf as in their Wiſdom ſhall ſeem moſt proper.

Ordered to lie on the Table.

The Order of the Day being read;

The Houſe reſolved itſelf into a Committee of the whole Houſe, to conſider further of Ways and Means for raiſing the Supply granted to his Majeſty; and, after ſome Time ſpent therein, Mr. Speaker reſumed the Chair, and Mr. *Leech* reported, that he was directed by the Committee to move, that they may have Leave to ſit again.

Reſolved, That this Houſe will, upon *Tueſday* next, reſolve itſelf into a Committee of the whole Houſe, to conſider further of Ways and Means for raiſing the Supply granted to his Majeſty.

The Governor, by Mr. Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. "THE King's Troops muſt be quartered. With reſpect to the Inſufficiency of the late Act, I refer you to my Meſſage of the Eighth Inſtant, delivered immediately before the paſſing of it; and I ſee no Reaſon, from any Thing that has occurred ſince, to alter my Opinion.

December 18, 1756. *WILLIAM DENNY.*"

And the foregoing Meſſage being again read, and conſidered; it was, after ſome Time ſpent therein,

Ordered, That Mr. *Leech*, Mr. *Franklin*, Mr. *Walker*, Mr. *Aſhbridge*, Mr. *Carpenter*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of an Anſwer to the ſame.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of a Meſſage to the Governor, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 19. The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. TO prevent, if poſſible, any Miſunderſtanding between your Honour and this Houſe, we beg Leave to recapitulate what has paſſed on the Article of Quarters, during the preſent Seſſion.

On the 19th of *October* laſt, your Honour was pleaſed to communicate to us a Letter from Lord *Loudoun* to yourſelf, dated *September* 22, 1756, in which Quarters, and the Neceſſaries allowed in Quarters by Act of Parliament, were demanded of this Province: The Building of Barracks came firſt under our Conſideration, but if the Houſe had been diſpoſed to build them, the Seaſon was too far advanced, and the Dimenſions could not be judged of, as the Number of Forces to be quartered here was not expreſſed.

The Houſe then endeavoured to procure the laſt Act of Parliament that was made for the Quartering of Soldiers in *England*, to be their Guide in making the neceſſary Proviſion here; your Honour was applied to for a Sight of that Act, which you were ſo kind as to promiſe to procure for us, but ſome Time paſſed before we obtained it.

On the 24th of *November* your Honour was pleaſed to lay before us another Letter from Lord *Loudoun*, dated *October* 28, 1756, in which the Demand for Quarters was repeated, and one Battalion of the *Royal Americans* was mentioned to be provided for in *Philadelphia*, but the Number of which that Battalion ſhould conſiſt was not mentioned. His Lordſhip is not particular as to Quartering, or the Neceſſaries to be furniſhed in Quarters, as he is pleaſed to ſay, "he is writing to one who is ſo thoroughly acquainted with "the Quartering in *England* in Time of Peace, and what Things are furniſhed in Quar- "ters for the Officers and Soldiers, and how much further Quartering extends in Time "of War, and even muſt do ſo from the Nature of Things."

Your Honour has never been explicit on theſe Points with the Aſſembly. We know nothing of them but what is to be learnt from the Act of Parliament you were ſo good as

as to furnish us with. We presented to your Honour a Bill so exactly conformable to that Act, that it brings over the very Clauses, by which Troops are quartered in *England*. After this Bill had lain four Days in your Honour's Hands, the House hearing the Soldiers were expected in Town the next Day, sent up to know your Result upon it. You were then pleased in a Message to object to the Preamble of one of those Clauses; we immediately agreed to strike it out, and had no Reason to expect any farther Objections. 1756. *December* 19.

However, before the Bill passed, and after the Amendment was agreed to, your Honour did indeed send us down the following written Message, *viz.*

GENTLEMEN,

"SINCE your Message of Yesterday Evening, I am well informed, from the strictest "Enquiry, that the Quarters demanded by my Lord *Loudoun* for the Officers and "Soldiers that are every Moment expected here, cannot be had in the Public-houses of "this City. The Bill now before me therefore being insufficient to answer the End "proposed by it, and the great Inconveniences that may arise if proper Quarters are not "provided for the Reception of his Majesty's Troops being evident, I must, in the warmest "Terms, recommend it to you, to make immediate Provision for that Service.

December 8, 1756. *WILLIAM DENNY.*"

With the above written Message your Honour was pleased farther to send us a verbal One in these Words, *viz.*

"*SIR,*

"The Governor commands me to acquaint the House, that if they do not think pro-"per to make any further Provision than what is expressed in the Bill, the Governor "agrees to the Alteration, and is ready to pass it as it now stands."

As the House had been informed that the Number for which Quarters were demanded, did not exceed 600 Men, Officers included, and were of Opinion that the Public-houses of *Philadelphia* were sufficient to provide Quarters for that Number, they acquainted your Honour with their Sentiments in the following respectful Message:

May it please your HONOUR,

"ON examining the Lists of recommended and licensed Public-houses, we find there "are no less than One Hundred and Seventeen in this City only, exclusive of the Sub-"urbs: We hope therefore your Honour will be of Opinion with us, that the Number "of Soldiers for which Quarters are required may very well be disposed of among them in "the Manner directed by the Act of Parliament now to be extended hither; especially as "it is not necessary the Soldiers should all be lodged in the Public-houses, but those who "keep such Houses may provide Lodging for the Men in other Houses, if they find "it more convenient so to do."

December 8, 1756. *Signed, by Order of the House,*
ISAAC NORRIS, *Speaker.*"

Your Honour made no Reply to this Message, but passed the Bill the same Day; and therefore we had Reason to believe you were satisfied with it.

The Bill passed on the Eighth Instant: On the 13th, the Mayor and Aldermen of *Philadelphia* presented to the House the following Remonstrance, and withal laid before us the annexed Paper, expressing the Number for which Quarters were demanded.

To the Honourable the REPRESENTATIVES of the Freemen of the Province of *Pennsylvania*, now sitting in Assembly,

The REMONSTRANCE of the Mayor, Recorder, and Aldermen of the City of Philadelphia, *sheweth,*

"THAT your Remonstrants have prepared Billets on the Public-houses of this "City, according to the Directions of a late Act in such Case made and provided, for "such of his Majesty's Forces as Lord *Loudoun* hath been pleased to order into Winter "Quarters here; but we find, on the strictest Enquiry into the Circumstances of the "Keepers of such Public-houses, that many of them are so poor and indigent, that they are "neither of Ability to support the Burden of providing for so great a Number of Troops, "or have proper Houses and Accommodations suitable for their comfortable Reception. "We further beg Leave to remonstrate, that the commanding Officer hath demanded an "Hospital, with Bedding, Fire, and other Necessaries, to be provided for a Number of Sick; "but as no public Building hath been erected in this City for that Purpose, your Remon-"strants, though willing and desirous to do every Thing in their Power to demonstrate

"their

1756. December 19.

"their Loyalty to his Majeſty, and to promote the Good of his Service, are ſorry to find "themſelves incapable of complying with this Demand, without the Aid and Aſſiſtance of "the Legiſlature of this Province: We therefore thought it our Duty to lay the Premiſes "before you our Repreſentatives, that ſuch Regulations and Proviſion may be made there-"in as you in your Wiſdom ſhall judge moſt expedient.

ATTWOOD SHUTE, Mayor, JOHN MIFFLIN,
City of *Philadelphia*, BENJAMIN CHEW, Recorder, JOHN STAMPER,
Dec. 11, 1756. WILLIAM PLUMSTED, THOMAS LAWRENCE,
ROBERT STRETTELL, ALEXANDER STEDMAN."

Captain TULLEKEN's *Demand of Quarters*, &c.

"IN Obedience to Orders received from his Excellency the Earl of *Loudoun*, Colonel "*Stanwix* has thought proper to ſend Captain *Tulleken* to *Philadelphia* to demand "Quarters for the Firſt Battalion of his Majeſty's Sixty-ſecond, or *Royal American*, Re-"giment.

"Captain *Tulleken* demands Quarters as follows:

"Quarters for 500 Men; an Hoſpital for the Sick; a Store-houſe; a Guard-room for an "Officer and Men.

"Billets for the Officers.

"Colonel one; Lieutenant-Colonel one; Majors one; Captains eight; Subalterns thir-"ty; Staff-Officers ſix. Total Forty-ſeven.

N. B. There muſt be Fire and Candles for the Guard-room, and for the Hoſpital.

Beſides the above, Captain *Gate's* Company of Independents, Forty-ſeven Men, four Officers.

"The Whole have Billets delivered them on the Public-houſes.

December 13, 1756. ATTWOOD SHUTE, Mayor.

The Houſe, how deſirous ſoever that the King's Troops might have good and ſuitable Quarters, could not proceed to make further Proviſion by a Supplementary Act, without being well informed of the preſent State of the Quartering, that they might know what was deficient, and what was neceſſary to be ſupplied; they therefore immediately required the Mayor to lay before the Houſe a Liſt of the Names of the Public Houſe-keepers, with the Number of Officers and Soldiers billeted on each Houſe (which he accordingly undertook to do by the next Morning) that we might be able to judge whether they could, or could not, be comfortably quartered by thoſe Public Houſe-keepers.

This Order of the Houſe, though of ſome Days ſtanding, not being complied with, and the Houſe being ſincerely deſirous that the King's Troops ſhould be well provided for, took Occaſion, from the Report that your Honour had iſſued Orders for Quartering on private Houſes, to ſend up their Meſſage of Yeſterday, in the following Words, *viz.*

May it pleaſe your HONOUR,

"A REPORT having Yeſterday prevailed in Town, that your Honour had given "Orders to the Sheriff to quarter the Soldiers on private Houſes, which greatly ſur-"priſed the Inhabitants, the Houſe (though they do not believe it poſſible your Honour "could be prevailed with to iſſue Orders ſo diametrically oppoſite to an expreſs Law "paſſed by yourſelf but a few Days before) think it neceſſary on this Occaſion humbly "to requeſt, that your Honour would be pleaſed to direct the Magiſtrates and Officers "of the City and Liberties, who have billeted the Soldiers on Public-houſes, according "to Law, to viſit thoſe Houſes, inſpect the Accommodations provided for the Men, "ſee that they are good and ſufficient, and oblige every Public Houſe-keeper to receive, "and provide for, the Officers and Soldiers that are or may be billeted on each Houſe, "in Proportion to the Number for which Quarters are required, either in the Public-"houſes, or ſuch others as the Keepers of them may procure; ſo that the Minds of the "People may be quieted and no juſt Cauſe of Complaint may ariſe, that Quarters, and "the Neceſſaries in Quarters, are not duly provided, according to the Intention of the "Legiſlature in paſſing that Act.

"The Houſe have recommended it to the Provincial Commiſſioners to provide an "Hoſpital for the Soldiers, which we make no Doubt will be done accordingly. *

December 17, 1756. *Signed, by Order of the Houſe,*
ISAAC NORRIS, *Speaker.*"

To this your Honour is pleaſed to anſwer as follows, *viz.*

"GENTLEMEN,

"THE King's Troops muſt be quartered. With reſpect to the Inſufficiency of the "late Act, I refer you to my Meſſage of the Eighth Inſtant, delivered immediately before

* A very convenient Guard-houſe was before provided at the Expence of the Province.

" before the Passing of it; and I see no Reason, from any Thing that has occurred since, " to alter my Opinion. 1756. *December* 19.

December 18, 1756. *WILLIAM DENNY.*"

On the Whole we beg Leave to remark, that if any Thing more than the Act of Parliament requires, be expected of us, we have never been explicitly informed what it is: That though your Honour is referred to by Lord *Loudoun*, as well acquainted with those Matters, you have never explained them to us: That when the Bill for extending the Act of Parliament hither was presented for your Concurrence, you made no Objection as to its Insufficiency, but that the Public-houses could not accommodate the Whole; which Objection we had afterwards Reason to think we had obviated to your Satisfaction. —— And lastly, that in your Message of Yesterday, you are not pleased to say that you will or will not favour us in our Request, that the Magistrates may be directed to see the Act duly executed, and good Quarters effectually provided; nor to point out any other or further Deficiency in the Act; but only tell us, as we think, somewhat abruptly, *that the King's Troops must be quartered.*

May it please the Governor, we know that the King's Troops must be quartered, and are desirous they should have good Quarters. The Assemblies of this Province have in very late Instances shewn their Regard for the Soldiery, by voluntarily presenting Conveniencies and Refreshments to the Officers, and furnishing Provisions and warm Cloathing for the Soldiers of the King's Forces, to the Amount of many Thousand Pounds. We thought we had by the late Law provided well for their Quartering in this Province; especially as we had exactly followed the Act of Parliament made for the same Purpose. We cannot conceive it will, when well considered, be thought adviseable, to quarter the Soldiers by Force on private Houses rather than by Law on Public-houses; and we apprehend, that if the bought Servants, which have been so lately taken from the King's good Subjects here, and no Satisfaction made their Owners, notwithstanding the Act of Parliament so expressly requires it, are now to be thrust into their Houses, and made their Masters, some Commotions may arise, dangerous to the King's Peace. On these Considerations, and being desirous to preserve a good Understanding with your Honour, we beg you would be pleased to favour us with a Conference, that this Matter may, as soon as possible, be fully understood, and finally settled."

And the said Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Roberdeau* and Mr. *Hughes* wait upon the Governor, and deliver the same.

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Franklin*, Mr. *Masters* and Mr. *Allen* be a Committee to confer with the Governor, concerning the Quartering of Soldiers; in Case his Honour shall agree to the Request of the House on that Head.

Then the House adjourned to Four o'Clock To-morrow Afternoon. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of Yesterday, reported, that they had delivered the same, according to Order; and that the Governor was pleased to say he would provide an Answer, and send the same to the House. *December* 20. *Post Meridiem*

The Committee appointed to confer with the Governor, on the Affair of Quartering Soldiers, report,

That the Governor having been pleased to appoint this Day at Half after Twelve o'Clock for the Conference, they had waited upon him accordingly, and found present *Robert Strettell*, *Benjamin Shoemaker*, *Richard Peters*, *John Mifflin* and *Benjamin Chew*, Esquires, Members of the Governor's Council.

That the Committee had opened the Conference, by assuring the Governor of the good Dispositions of the House towards the Army, and their Intention that sufficient Quarters should be provided for them; but withal expressed the Concern it gave the House to hear, that his Honour had unnecessarily, as they apprehended, issued Orders for Quartering them on private Houses by Force, and contrary to Law.

To which the Governor was pleased to answer, that he was informed the Quarters in the Public-houses were insufficient; that Beds were wanting for more than One Hundred Men.

The Committee then observed, That it was still the Opinion of the House, that the Public House-keepers of this City generally were able to provide what was necessary for the Number billeted on them; and if they did not comply with the Law, the Magistrates should do their Duty, and fine them, as the Law directed. That if some of them were too poor, others were more able, and the Proportions should be regulated.

The Governor was pleased to say, it was not his Business to enquire where the Fault lay; it was plain the Soldiers were not well quartered; and they must not suffer.

The Committee then took the Freedom to remind the Governor, that the House could only prepare Laws; they had no Power to execute them. That they had provided a good Law for this Purpose, and the Governor had passed it. That the executive Powers of Government were vested in him. His Honour being pleased to say, it could not be

1756. *December* 20.

expected of him, to go from Houſe to Houſe to ſee how the Law was executed; the Committee anſwered,

That the Complaint being laid before his Honour, Orders might properly iſſue from him to the Magiſtrates (who are under his Direction) to enquire into and redreſs it, by exacting a due Obſervance of the Law, and enforcing it by levying the Fines.

The Committee then took Notice, that no Soldiers had yet been billeted on the Taverns in the Suburbs cloſely adjoining to the City, where there were many very capable of receiving them: That the neighbouring Towns could alſo accommodate a great Number.

The Governor replied, that the Quarters were demanded in the City, and it was his Duty to ſee the Orders executed; that if the Inhabitants thought it unequal, or a Hardſhip, they might apply to Lord *Loudoun*.

The Committee anſwered, that it were to be wiſhed the Governor would conſider himſelf ſomewhat more in his Civil Capacity as Governor of the Province. We expected of him, that he would be the immediate Father and Protector of the People, and if any Orders he received would in their Conſequences be grievous to the People, he would repreſent the Matter properly in our Behalf: That if an Application to Lord *Loudoun*, to redreſs any Grievance, was neceſſary, we conceived it ought to be made not directly, but through the Governor, and that to do otherwiſe, would be inconſiſtent with the Reſpect due to the Governor. That we did requeſt he would accordingly apply for Orders to quarter on the neighbouring Towns any farther Troops that might arrive here, more than our Public-houſes could well accommodate.

The Governor was pleaſed to ſay, he would do ſo when General *Webb* arrived, for he thought it reaſonable.

The Committee deſired the Governor would be pleaſed to inform us, if any further or other Proviſion ought to be made for Soldiers Quartering, than what was mentioned in the Act of Parliament.

His Honour was pleaſed to ſay, that he knew of none; and that he had anſwered that Point in a Meſſage he intended to ſend to the Houſe this Day; which Meſſage he held in his Hand.

The Committee then aſked, Whether any further Proviſion ought to be made for Quartering the Officers, than what the Act of Parliament required?

The Governor anſwered, None that he knew of. But afterwards mentioned ſomething of Money given them in *Flanders*, by the Name of *Slope-Gelt*; though he did not explain it, or ſeem to inſiſt on it.

It was aſked, What was to be underſtood by Quartering being extended further in Time of War, than in Time of Peace.

The Governor anſwered, He knew not, unleſs it was Quartering on Private Houſes.

The Governor added, That before he left *England*, Complaint was made, that the Public-houſes at *Canterbury* were oppreſſed by too great a Number of Troops quartered on them, when the Invaſion was apprehended, and it was propoſed in Parliament to make them ſome Satisfaction by a Sum of Money, but he knew not whether it was done.

The Committee replied, That in that Caſe the Parliament muſt have had the Grounds of Complaint laid before them, and been ſatisfied they were juſt. That no Complaint had ever been made to the Houſe by our Tavern-keepers, though this ſame Law had been a Year in Uſe among us, before it was at this Time again re-enacted. That the Houſe, on the Remonſtrance of the Mayor and Aldermen, had required an Account of the Billeting, in order to ſatisfy themſelves whether there was Cauſe of Complaint, but had not yet obtained it.

The Governor farther ſaid, That in Time of War, and in Caſes of Neceſſity, it was uſual in *England* to quarter Soldiers on private Houſes, and inſtanced *Carliſle*. That it was done in *Scotland*, in the Time of the late Rebellion, notwithſtanding the Law. That the Inhabitants of *Weſtminſter* and *Newcaſtle* had at that Time voluntarily offered to quarter a great Number of Soldiers.

It was anſwered, That in Caſes of Neceſſity, there was no Doubt but the Inhabitants of this Province would chearfully ſubmit to it; but ſuch Neceſſity did not appear to us; ſince there was Room enough in the Public-houſes of the Suburbs, and neighbouring Towns, and other Towns in the Province, for much greater Numbers than Quarters had yet been demanded for. That, where it was voluntarily offered, Proviſion might be made to render it eaſy; but where Force was uſed, it was very different, as Families might be taken unprovided.

The Governor replied, That the General was the proper Judge of ſuch Neceſſity; and the General thought it neceſſary to have the Soldiers quartered near together.

We replied, We were confident the General had no Inclination to oppreſs any of his Majeſty's good Subjects; but if Neceſſity warranted Quartering on private Houſes by Force, and contrary to Law; and Military Officers were the only Judges of that Neceſſity, they might ſay it was neceſſary to quarter the whole Army, not only in one City, but in one Square, or one Street; and thereby harraſs the Inhabitants exceſſively. That

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the People of this Province were as good and as loyal Subjects as any in the King's Dominions, and as well affected to the Soldiery: That we had evinced this by doing more (as we conceived) at our own Expence, for the Army since they arrived in *America*, than any other Province whatever: That we hoped no Measures would be taken to create Differences between the Soldiery and the People, or to render the King's Service dis-tasteful to those who had at present an hearty Affection to it: And further, that the Governor would listen to no Insinuations, nor be prevailed on to make any Representations of us to the contrary. 1756. *December* 20.

The Governor was pleased to say, he should represent nothing but Facts.

A Report of the Surgeons of the Hospital, that the sick Soldiers in the Taverns were badly accommodated, so that their Lives were in Danger, and the Health of the Inhabitants might be affected by the Spreading of their Distempers, being read by the Secretary;

The Committee mentioned, That an Hospital was ordered at the Province Expence for the Soldiers.

The Governor said, we had done it at last with an ill Grace.

His Honour was then reminded by one of the Committee, That when the Commissioners, on the first Application for an Hospital, had enquired of him what was the Custom in *England*, in that Particular? he was pleased to answer, It was the Custom for each Town or Corporation where Troops were quartered, to provide an Hospital at the Expence of the Town or City. That the Commissioners, therefore, as the Province Money in their Hands began to run low, left that Matter to the Corporation of *Philadelphia*, who had Money in Bank, more than sufficient for that Purpose. But the Corporation declining it, the House recommended it to the Commissioners, who had ordered it.

The Governor answered, It was the Custom in *England*, but the Corporations were not obliged to it.—Though when they refused it, it was not well taken.

This the Committee report as the Substance of what passed at the Conference, to the best of their Remembrance."

The Governor, by the Secretary, sent down to the House a Message in Writing, mentioned in the foregoing Report, as prepared before the Conference, which was read, and is as follows, *viz.*

GENTLEMEN,

'A GREAT deal might be said in Answer to the Message of Yesterday, which I chuse to decline out of Respect to the Assembly. The King's Ministers are the best Judges of these Proceedings, to whom they will be referred. A Message from the Governor to the Assembly.

'Though Moderation is most agreeable to me, there might have been a Governor who would have told you, the whole Tenor of that Message was indecent, frivolous and evasive. That the Reception of his Majesty's Troops in this City shews Want of Humanity and Gratitude; for you will please to remember, that they were raised by Parliament for the Defence of these Colonies.

'For my Part, Gentlemen, I shall always avoid Disputes; but am determined to do my Duty to my King and Country.

'No other Necessaries are required for the Soldiers than what are specified in the Act.

'The Gentlemen of the Assembly who have been so long in Town, must know, or might easily have been informed of the State of the Public-houses; however, I now acquaint you, that Sixty-two Beds are actually wanted for One Hundred and Twenty-four Men, who lie upon Straw, and Quarters for the Recruits, who arrive every Day.

Monday, Twelve o'Clock,
Dec. 20, 1756. *WILLIAM DENNY.*"

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Message to the Governor of the Nineteenth Instant, (recapitulating what had passed between him and the House relating to the Quartering of Soldiers in this City) the Report of the Committee appointed to confer with the Governor thereupon, and his Honour's Answer to the before-mentioned Message, were severally read, and considered; and, after some Time spent therein, *December* 21.

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait upon the Governor, and deliver the following Message, *viz.*

May it please your HONOUR,

HAVING equal Respect for the Governor, we shall say but little in Answer to your Honour's Message of Yesterday. A Message to the Governor from the Assembly.

We are contented that the King's Ministers should judge of these Proceedings; and that the World should judge of the Decency, *&c.* of our last Message.

Inhumanity and Ingratitude are heavy Charges, but we think by no Means applicable to the People of this Province.

We, likewise, are determined, if possible, to avoid Disputes with the Governor, and to do our Duty to our King and Country; and when it shall be made appear to us, that the

1756. *December* 21. the Public Houſe-keepers are not able to provide ſufficient Quartering, we ſhall take proper Meaſures to ſupply the Deficiency.

And ſince the Governor aſſures us, that no other Neceſſaries are required for the Soldiers than what are ſpecified in the Act, we hope the ſame Law which the Wiſdom of Parliament has provided, will anſwer all the Purpoſes here, whenever the Governor ſhall think fit to enforce its Execution.

December 21, 1756. *Signed by Order of the Houſe,*
A. M. ISAAC NORRIS, *Speaker.*

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame, according to Order.

The Order of the Day being read,

The Houſe reſolved itſelf into a Committee of the whole Houſe, to conſider further of Ways and Means for raiſing the Supply granted to his Majeſty; and, after ſome Time ſpent therein, Mr. Speaker reſumed the Chair; and Mr. *Leech* reported, that he was directed by the Committee to move that they may have Leave to ſit again.

Reſolved, That this Houſe will, To-morrow Afternoon, reſolve itſelf into a Committee of the whole Houſe, to conſider further of Ways and Means for raiſing the Supply granted to his Majeſty.

The Governor, by Mr. Secretary, ſent down to the Houſe a Meſſage in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly. ‘ THE Magiſtrates, at my repeated Inſtances, with the Quarter-Maſter of the Troops, have been, and are ſtill inſpecting the Public-houſes, and ſettling the Quarters; and as ſoon as I ſhall receive their Return, I will lay it before you. I am glad to find you have at length agreed to take proper Meaſures to ſupply the Deficiency in Caſe the Public-houſes are not able to provide Quarters for the Number of Officers and Men demanded.

‘ That you may not miſtake me, when I ſay no other Neceſſaries are required for the Soldiers than what are ſpecified in the Act of Parliament, which is meant only in their Quarters, and in Time of Peace, I think it proper to mention the ſeveral Proviſions to be made, reſpecting theſe Articles, which his Majeſty moreover requires, your Mother Country expects, and Lord *Loudoun* has demanded, in ſeveral Letters laid before you; namely, *That you do provide for all ſuch Charges as ariſe from furniſhing Quarters, and Neceſſaries allowed in Quarters by Act of Parliament, in furniſhing Carriages, Sloops, and all other neceſſary Means of Conveyance for his Majeſty's Troops, whenever ſuch Troops be ſtationed within, or ſhall be marching through, this Province;—and likewiſe Lodging and ſuch other Neceſſaries as are furniſhed in Quarters in* Great-Britain *in Time of War.*

‘ I am pleaſed to hear that a Guard-room, Store-houſe and Hoſpital are already provided.

‘ If any Thing further ſhould be demanded by Lord *Loudoun*, I ſhall immediately acquaint you with it.

December 21, 1756. *WILLIAM DENNY.*”

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 22. The Governor's Meſſage of Yeſternight was again read, and conſidered; and, after ſome Time ſpent therein,

Ordered, That Mr. *Pearne*, Mr. *Franklin*, Mr. *Smith*, Mr. *Hunt*, Mr. *James Wright*, Mr. *M'Connaughy* and Mr. *Allen* be a Committee to conſider the ſaid Meſſage, and report thereon to the Houſe.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Order of the Day being read,

The Houſe reſolved itſelf into a Committee of the whole Houſe, to conſider further of Ways and Means for raiſing the Supply granted to his Majeſty; and, after ſome Time ſpent therein, Mr. Speaker reſumed the Chair; and Mr. *Leech* reported from the Committee, that they had gone through the Matters referred to them, and come to two Reſolutions, which they had directed him to report, when the Houſe will pleaſe to receive the ſame.

Ordered, That the Report be received To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

December 23. Mr. *Leech* (according to Order) reported from the Committee of the whole Houſe, to whom it was referred to conſider of Ways and Means for raiſing the Supply granted to his Majeſty, the Reſolutions which they had directed him to report to the Houſe; which he read in his Place, and afterwards delivered in at the Table; where the ſame were read, and agreed to by the Houſe, and are as follow, *viz.*

Reſolved, That for raiſing the Sum of *One Hundred Thouſand Pounds*, granted to his Majeſty for the Defence of this Province, a Tax be laid and levied on all Eſtates, real

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and personal, and Taxables within the same, sufficient to raise the said Sum in one Year. 1756.

Resolved, That the Method of assessing and levying the said Tax be according to the Method and Way of raising County Rates and Levies, with such Alterations as may be thought proper by the House, for the better and more equal assessing the same. *December* 23.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House went upon the Consideration of the Alterations necessary to be made in the County Rate and Levy Act, for the better and more equal assessing the Estates within this Province; and, after some Time spent therein, the Question was put, Whether the Constables should be obliged to leave at each House, in their respective Townships, a printed Paper, containing Columns headed for every Article liable to be taxed by the County Rate and Levy Act, and such other Articles as the House may hereafter add, for the several Persons liable to Taxation, to set down under each Head the Quantity they possess thereof, and sign the same with their Names; in order that the said Papers be delivered by the Constables to the Commissioners and Assessors? *Past in the Negative.* *Post Meridiem*

Resolved, That a Person in each Township be chosen, by the Inhabitants thereof, to assist the Constable in making Returns of the Property possessed by each Taxable.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Alterations necessary to be made in the County Rate and Levy Act, for the better and more equal assessing the Estates within this Province; and, after some Time spent therein, *December* 24.

Resolved, That the Assistants to the Constables be under the same Qualifications as the Constables, and have like Powers in enquiring into the Estates, and making the Returns to the Commissioners and Assessors; and that the said Assistants shall attend the Assessors at the Time or Times of assessing or rating the respective Townships or Wards for which they were chosen, in order to answer such Questions as shall be asked of them relating to the said Returns and Discharge of their respective Duties.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Franklin*, Mr. *Masters*, Mr. *Walker*, Mr. *Hunt*, Mr. *Carpenter*, Mr. *M'Connaughy* and Mr. *West* be a Committee to prepare and bring in a Bill for granting a Supply to his Majesty, agreeable to the several Resolutions of the House thereupon.

The Committee appointed to consider the Governor's last Message, relating to the Quartering of Soldiers, made a Report thereon in Writing, which was read, and is as follows, *viz.*

Report of the Committee on Quartering of Soldiers.

THE Committee have considered the Governor's Message of the Twenty-first Instant, and are of Opinion, that in the first Paragraph, where it is said the Governor is glad to find the House have *at length* agreed to take proper Measures, *&c.* there is some Appearance of undue Reflection on the House, as if we had delayed or refused to take proper Measures to supply the Deficiency, in Case the Public-houses were not able to provide the Quarters; when the Truth is, That the House were always willing to do it, but were never, nor are yet satisfied that there could be such Deficiency, if the Law was properly executed.

The Committee farther observe, that the second Paragraph seems to insinuate, that notwithstanding *His Majesty requires, our Mother Country expects, and Lord* Loudoun *has demanded, in several Letters laid before us*, "that we do provide for all such Charges as "arise from furnishing Quarters, and Necessaries allowed in Quarters, by Act of Par-"liament; in furnishing Carriages, Sloops, and all other necessary Means of Conveyance "for his Majesty's Troops, whenever such Troops be stationed within, or shall be "marching through, this Province; and likewise Lodging, and such other Necessaries "as are furnished in Quarters in *Great-Britain* in Time of War;" yet we had taken no Notice of such Expectations and Demands, nor made any Provision accordingly; whereas the Truth is, That both this and the last Assembly provided "for all such "Charges as arise from furnishing Quarters, and the Necessaries allowed in Quarters in "the Act of Parliament," by a Bill extending hither that very Act, which received the Governor's Assent: That from the very first Demand the Assembly of this Province provided for furnishing Carriages, and other necessary Means of Conveyance for the King's Troops, by putting Money into the Hands of Committees, or into the Hands of the Governor and Commissioners for the King's Use, Part of which has been applied to those Purposes, whenever any Demand has been made for Carriages; and no Account of this Kind was ever refused Payment. A considerable Sum still remains in the Governor's and Commissioners Hands, subject to such Demands; and the Supply Bill, now under the Consideration of the House, will make a further Provision: To which we may add, that in the last *Sixty Thousand Pound* Bill the Sum of *Ten Thousand Pounds* was subjected to the Orders of Lord *Loudoun*, for any Part of the Service his Lordship should find necessary, but the House was obliged to strike it out by the Governor's refusing to pass the Bill for a larger Sum than *Thirty Thousand Pounds*.

The Committee farther observe, That the Distinction between the Necessaries fur-

1756. *December* 24.

furniſhed in Quarters *in Time of Peace*, and thoſe furniſhed *in Time of War*, is not yet underſtood by the Houſe, nor have they been able to obtain from the Governor any Explanation of it, though they applied to his Honour for ſuch Explanation, both by a written Meſſage, and by a Committee appointed expreſsly to confer with his Honour, "that this Matter might be fully underſtood." The Houſe, by extending the Act of Parliament relating to Quarters, have provided for all that they underſtood to be neceſſary in that Reſpect, and for all that the Governor informed them was neceſſary. His Honour now is pleaſed to ſay, the Act of Parliament relates only *to a Time of Peace*. Whenever he ſhall be pleaſed to let us know what further Neceſſaries are required in Quarters *in Time of War*, the Houſe will, no Doubt, conſider that Matter, and do what ſhall appear reaſonable.

As the Circumſtances of the preſent Time call rather for Action than Altercation, the Committee are of Opinion, the Houſe would do well to make no Anſwer to the Meſſage in Queſtion, but ſhow their Diſpoſition to Peace by their Silence, and apply themſelves diligently to raiſing the neceſſary Supplies for his Majeſty's Service, and to perfecting the Militia Bill now under their Conſideration.——This, their Opinion, however, is humbly ſubmitted to the Houſe."

And the Houſe taking the foregoing Report into Conſideration, approved thereof; and

Reſolved, That this Houſe will, in order to prevent, as much as in them lies, any Diſputes with the Governor at this critical Juncture, take no further Notice of his laſt Meſſage relating to the Quartering of Soldiers or of his Honour's extraordinary Conduct in that Affair.

Upon Motion made,

Ordered, That Mr. *Leech*, Mr. *Smith*, Mr. *Morton*, Mr. *Carpenter*, Mr. *M'Connaughy*, Mr. *Weſt* and Mr. *Yorke* do procure and bring to the Houſe, at their next Sitting, the Duplicates of the Taxables in the ſeveral Counties they repreſent; and further, that they be a Committee to enquire into the Reaſons why the Tax for raiſing the *Fifty-five Thouſand Pounds*, granted to the King's Uſe, has not yet been laid in ſome of the Back Counties, and report thereon to the Houſe.

Adjournment

Then the Houſe adjourned to *Monday*, the Third Day of *January* next.

1757. *January* 3. *Poſt Meridiem*

THE Houſe met, purſuant to their Adjournment.

Mr. Speaker laid before the Houſe a Meſſage he had received from the Governor juſt after the Houſe had adjourned; which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE *Coneſtogoe Indians* have acquainted me, that they want Clothes, and deſire 'they may have a further Supply; which you will be pleaſed to order may be ſent 'them forthwith, that they may not ſuffer in this ſevere Seaſon.

Dec. 24, 1756. *WILLIAM DENNY.*"

A Petition from *Philip Syng* and *Jacob Cooper*, two of the Commiſſioners for the County of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioners were elected Commiſſioners by the Freemen of the County of *Philadelphia*, by Virtue of the County Levy Act, to perform ſuch Duties as are therein directed, and found more Trouble than uſual in raiſing the laſt County Tax, occaſioned, as they apprehend, by the People foreſeeing heavy Taxes would enſue, great Numbers were anxious to get themſelves rated as low as poſſible, in Hopes that might be a Rule for other Taxes: That before the Petitioners could complete the Collection of the aforeſaid Tax, they were obliged, under Penalty of *Twenty Pounds*, to raiſe a yearly Tax of *Six-pence* in the *Pound* for the King's Uſe, which they chearfully undertook to perform, though much to their Diſadvantage, and will do their beſt Endeavour to accompliſh: That the executeing the laſt Act is attended with much more Trouble than the former, the Applications for Abatement encreaſe, and although double the Time is allowed for Appeals than heretofore, the Petitioners are harraſſed both Abroad and at Home to hear the Complaints: That they have been obliged to cauſe the Goods of many to be taken by Diſtreſs, and ſold, raiſe Accounts for each of them, ſettle the Charges, and direct what Balance ſhall be returned: That the Office of Commiſſioner is attended with much more Trouble in this County than any other, by Reaſon of the City being included; and the Petitioners have Forty-ſix Collectors to ſettle with, and rectify their Duplicates, every Tax: That the Petitioners are informed this Houſe purpoſe to prepare a Bill for a yet greater Tax on the Eſtates and Inhabitants of this Province, and that the Commiſſioners of the ſeveral Counties are to enforce the Collection thereof: —— That the Petitioners find, by Experience, the executing the two before mentioned Acts takes ſo much of their Time, that they cannot, without Prejudice to themſelves and Families, ſerve as Commiſſioners to the Bill they are informed is now under Conſideration: The Petitioners

titioners therefore pray this Houſe would not impoſe any further Burden upon them, but to appoint other Commiſſioners for that particular Act. 1757. January 3.

Ordered to lie on the Table.

A Petition from divers Inn-keepers, Tavern-keepers, Victuallers, Ale-houſe Keepers, and Retailers of ſpirituous Liquors by Licenſe, Inhabitants of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the preſent Billets, iſſued for quartering Soldiers only in this City, greatly injure and diſtreſs the Petitioners; that the major Part of the Petitioners are not able to bear the Expence thereof, having but very few among them whoſe Houſes, Beds, and Fire-wood are capable ſufficiently to accommodate the Soldiers now billeted on them, and if compelled thereto, will conſequently be impoveriſhed and ruined, with their Wives and Children; the Petitioners therefore pray, that this Houſe would take the Premiſes into their ſerious Conſideration, and grant them ſuch Relief as the Houſe in their Wiſdom ſhall judge moſt proper.

Ordered to lie on the Table.

Mr. *Morton* brought to the Houſe an Account from the Clerk of the Commiſſioners for the County of *Cheſter*, of the Taxes laid by them in the ſaid County, in Purſuance of the Act for granting *Sixty Thouſand Pounds* to the King's Uſe; which was read, and ordered to lie on the Table for the Peruſal of the Members.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Commiſſioners for diſpoſing of the *Thirty Thouſand Pounds* granted to the King's Uſe, laid before the Houſe, for their Conſideration, a Letter they had received from the Governor, which was read, and is as follows, *viz.* *January* 4.

GENTLEMEN, *Philadelphia, December* 29, 1756.

MR. *Croghan*, who has a Deputation from Sir *William Johnſon* for this Part of the Northern Diſtrict, has propoſed, for the immediate Service of this and the other Colonies, to ſend one or two Meſſengers to the *Suſquehannah Indians*, at *Otſaningo*, and to *Teedyuſcung*, at *Diahogo*, to come and meet him at *Harris's*, where he will endeavour to engage ſome of the moſt faithful and diſcreet of them to go to the ſeveral *Shawaneſe* and *Delaware* Tribes of the *Ohio Indians*, in order to ſound their Inclinations with reſpect to this Province; and if they ſhall be found well diſpoſed, to invite them to a Conference in the Spring at ſome Place, to be left to their Choice. Governor's Letter to the Commiſſioners.

As Money will be wanted for this Service, I recommend it to you to allot a Part out of the Remainder of the *Thirty Thouſand Pounds* to defray the Expences which will ariſe by theſe Meſſages, and the Meeting at *Harris's*. I think this, which requires immediate Diſpatch, is of ſo much Conſequence as to merit a Preference to any other Matters. It is neceſſary that this Affair ſhould be kept ſecret. I am, *Gentlemen*,

Your moſt obedient humble Servant,

WILLIAM DENNY."

And the Houſe taking the foregoing Letter into Conſideration,

Ordered, That Mr. *Galloway* and Mr. *Weſt* wait upon the Governor, and acquaint him, that the Houſe deſire he would be pleaſed to lay before them the Deputation mentioned in the ſaid Letter, and any Inſtructions he might have that were given to *George Croghan*.

A Petition from *Mary Edwards*, and another from *David Llewellyn*, both of the County of *Cheſter*, complaining of ſundry unjuſt and illegal Practices of *William Moore*, Eſq; of the ſaid County, and praying Redreſs, was preſented to the Houſe and read, and

Ordered to lie on the Table.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Gentlemen appointed to wait upon the Governor with the Meſſage of the Houſe, report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to give them a Copy of Sir *William Johnſon's* Inſtructions to *George Croghan*; alſo a Letter from ſaid *Croghan* to his Honour; which they delivered in at the Table.

And the ſaid Inſtructions and Letter were read, and are as follow, *viz.*

SIR, *Fort Johnſon, November* 24, 1756.

YOU will proceed to *Philadelphia* as ſoon as you can, or to any Part of that Province where the Good of his Majeſty's *Indian* Intereſt may require. Sir *William Johnſon's* Inſtructions to *George Croghan*, Eſq;

You are to endeavour all in your Power to find out the Diſpoſition of ſuch *Indians* as are ſtill living in them Parts, and try all Means to convince them it is their Intereſt to continue Friends to the *Engliſh* and the *Six Nations*.

If you find them well inclined, then you will encourage them to come and join his Majeſty's Arms here, or any where elſe they may be wanted next Spring.

You will alſo enquire into the Cauſe of the *Delawares* and *Shawaneſe* Behaviour to their Brethren, the *Engliſh*, in them Parts, and aſſure them, that if they will come,

and

1757. *January* 4. and let me know wherein they are injured, I will endeavour to have Juſtice done them, ſo that that unhappy Difference may be ſettled.

In Caſe you can meet with the old *Onondago Indian*, who lives near *Shamokin*, I would have you employ him, and ſend him either to the general Meeting, ſoon to be held at *Onondago*, there to learn what paſſes at that Council, or to the *Shawaneſe* and *Six Nations*, living at the *Ohio*, to know their Reſolutions; and give him in Charge to loſe no Time, ſo that I may know as ſoon as poſſible what he learns from them. You may aſſure him he ſhall be well rewarded, provided he exerts himſelf properly on this Occaſion. —— I wiſh you a good Journey, and am, *Sir*,

Your moſt humble Servant,

To George Croghan, *Eſq*; *Deputy Agent of* Indian *Affairs for the Northern Diſtrict*. WILLIAM JOHNSON."

A true Copy, RICHARD PETERS.

SIR, *Philadelphia, December* 13, 1756.

Mr. *Croghan's* Letter to the Governor.

ON Peruſal of the late Treaty held at *Eaſton*, I find that the *Indians* made a Complaint of their being defrauded out of ſome of their Lands; upon which the Commiſſioners acquainting your Honour, that more Goods were brought than could be conveniently diſpoſed of, it was agreed by you to propoſe to them immediate Satisfaction, which they refuſed, alleging they were not the Perſons who had Power to receive it; and as they could not then finiſh the great Work they came about, that they intended to come in the Spring and finiſh it.——To which your Honour was pleaſed to anſwer, you would be glad to meet them at any Time. From which I am of Opinion, that the Government cannot avoid giving the *Indians* a Meeting to ſettle this or any other Difference that ſubſiſts between them, as I think it will be for the Good of his Majeſty's Service to have theſe Affairs ſpeedily accommodated; and am alſo of Opinion, this Meeting ought to be held before the Firſt of *March*; for it is probable, if it ſhould be put off longer, it may impede his Majeſty's Service, as the *Indians* may be called together in the Spring by Sir *William Johnſon*, to join the Forces under the Command of his Excellency Lord *Loudoun*. And as I have a Deputation from Sir *William Johnſon* for the Tranſacting of *Indian* Affairs here, I aſſure your Honour, that I will do every Thing in my Power to ſettle, in an amicable Manner, thoſe Differences, and in the mean Time let Sir *William Johnſon* know that the *Indians* are to meet here, and have his further Inſtructions on that Head.—— I am of Opinion, if proper Steps be taken, that ſome of the *Ohio Indians* (who are the proper *Indians* to ſettle thoſe Affairs with) may be brought to this Meeting. I am, with Reſpect,

Your Honour's moſt obedient Servant,

GEORGE CROGHAN."

The Committee appointed to prepare a Draught of a Bill for forming and regulating the Militia within this Province, reported the ſame to the Houſe; and it was read the firſt time, and ordered a ſecond Reading.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 5. Mr. *Smith* laid before the Houſe the Commiſſioners Liſt of Taxes laid in the County of *Bucks*, and the ſame was ordered to lie on the Table for the Peruſal of the Members.

A Bill for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, for the Defence of this his Majeſty's Colony, by a Tax on all Eſtates, real and perſonal, and Taxables within this Province, was brought in by the Committee appointed to prepare the ſame, read the firſt time, and ordered a ſecond Reading.

The Letter from the Governor to the Commiſſioners concerning *George Croghan's* Propoſals, with the Letter to the Governor from ſaid *Croghan*, and Sir *William Johnſon's* Inſtructions, were again read, and conſidered; and, after ſome Time ſpent therein, the ſame were referred to farther Conſideration: And Mr. Speaker was deſired in the mean Time to ſpeak to *George Croghan*, concerning his Intentions of ſending Meſſages to the *Indians*, that the Houſe may underſtand what is expected of them on that Account.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

Adjournment *January* 6. Mr. *Carpenter* laid before the Houſe the Duplicates of the Taxes laid in the County of *Lancaſter*; and the ſame were ordered to lie on the Table for the Peruſal of the Members.

The Committee to whom the Supplementary Bill to the Act, entituled, *An Act for regulating and continuing the Nightly Watch*, &c. was committed for Amendment, reported the ſame to the Houſe; and it was read, with the Amendments, the firſt time, and ordered a ſecond Reading.

Mr. Speaker reported, that he had had ſome Converſation with *George Croghan*, and found that what he expected from this Government was, that they would be at the Expence of ſending ſome Meſſengers to *Diahogo*, to haſten the Meeting of the *Indians* intended to be

be held at *Easton*, in Pursuance of the late Conference with *Teedyuscung*. —— And the House taking the same into Consideration, after some Time spent therein, 1757. January 6.

Resolved, That this House will provide for the Expence of sending Messengers to *Diahogo*, in order to hasten the *Indians* down to the intended Conference to be held at *Easton* the next Spring.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Ordered, That Mr. *Baynton* and Mr. *West* wait upon the Governor, and acquaint him, that the House having considered the Letter to his Honour from *George Croghan*, Esq; Deputy Agent of *Indian* Affairs for the Northern District, have resolved to provide for the Expence of his sending Messengers to *Diahogo*, to hasten *Teedyuscung* and the other *Indians* down to the Conference, which they, at their last Meeting with the Governor at *Easton*, did promise to hold in the Spring, for the Settlement of their Disputes with this Province. *Post Meridiem*

A Bill for regulating the Officers and Soldiers commissionated and raised by the Governor for the Defence of the Province, and for repealing the Act of General Assembly passed in the present Reign for the same Purposes, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

The Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. was read the second time, and, after a considerable Debate thereupon, the same was referred to farther Consideration.

The Gentlemen return and report, that they had delivered the Message of the House according to Order; and that the Governor was pleased to say, that he was glad the House had made Provision for bearing the Expence of sending Messengers to *Diahogo*, which he looked upon to be a Matter of great Importance, and that he would acquaint Mr. *Croghan* with it immediately.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and, after some Time spent therein, the same was referred to farther Consideration. *January* 7.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Bill for binding out and settling such of the Inhabitants of *Nova-Scotia*, imported into this Province, as are under Age, and for maintaining the Aged, Sick, and Maimed, at the Charge of this Province, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading. *Post Meridiem*

The House again resumed the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and, after some Time spent therein, the Question was put, *Whether the following Clause should be inserted in the said Bill*, viz.

" And be it further enacted by the Authority aforesaid, that the Collectors of and for " the County of *Philadelphia*, shall collect and receive from the Proprietaries Receiver " General, the Sum of *Two Thousand Eight Hundred* and *Forty Pounds Fifteen Shillings* " and *Two-pence*, due and in Arrear as a Part of the Free Gift of *Five Thousand Pounds*, " given by the Honourable Proprietaries of this Province, towards the Defence thereof, " by the Act herein beforementioned for granting *Sixty Thousand Pounds* to the King's " Use, in Consideration of their being exempted from bearing any Share of the Taxes " by that Act imposed: And the said Collectors shall have all the Powers and Au- " thorities for collecting and receiving the same, as for other the Monies arising by Virtue " of this Act, and shall make Payment thereof to the Provincial Treasurer at the Times, " and in the Manner herein before directed; that is to say, on or before the " and so in quarterly Payments, at the Times the other Monies are to be " collected and paid, till the whole Sum of *Two Thousand Eight Hundred* and *Forty* " *Pounds Fifteen Shillings* and *Two-pence*, is paid and discharged, and in no other Man- " ner whatsoever; to the Intent the Honourable our Proprietaries may more chearfully " bear their proportionable Part of the heavy Expences and Charges necessary for the " Protection of his Majesty's Colony, and this his Province, and may not be inconve- " niently pressed for the immediate Payment thereof, the Act for granting *Sixty Thou-* " *sand Pounds*, or any other Act of General Assembly of this Province notwithstanding?"

Past in the Negative.

Ordered, That a separate Bill be brought in for the Purposes mentioned in the foregoing Clause.

Then the Bill for granting *One Hundred Thousand Pounds* to his Majesty was referred to the Committee who brought it in, to be altered and amended, according to the Sentiments of the House thereupon.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

An Account from *James Whitehead*, for keeping and maintaining two *French* Deserters, committed to the Workhouse by Order of the late Governor, amounting to *Twenty-eight Pounds One Shilling* and *Six-pence*, was laid before the House, and read. *January* 8.

The Bill for binding out and settling such of the Inhabitants of *Nova-Scotia*, imported into this Province, as are under Age, and for maintaining the Aged, Sick and Maimed,

1757.

at the Charge of this Province, was read the ſecond time, and debated; and, after ſome Time ſpent therein, it was ordered to be tranſcribed for a third Reading.

January 8. Then the Houſe adjourned to next *Monday*, at Four o'Clock in the Afternoon.

Adjournment

January 10. The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.

Adjournment

January 11. The Bill entituled, *An Act for binding out and ſettling ſuch of the Inhabitants of* Nova-Scotia *imported into this Province, as are under Age; and for maintaining the Aged, Sick and Maimed, at the Charge of this Province*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Wayne* and Mr. *Carpenter*, wait upon the Governor with the ſame, and deſire his Aſſent.

The Supplement to the Act, entituled, *An Act for regulating and continuing the Nightly Watch*, &c. was read a ſecond time, and ordered to be tranſcribed for a third Reading.

The Gentlemen appointed to wait on the Governor with the Bill for binding out the Inhabitants of *Nova-Scotia*, &c. return and report, that they delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would give it all the Diſpatch he could.

The Bill for regulating the Officers and Soldiers commiſſioned and raiſed by the Governor for the Defence of this Province, *&c.* was read a ſecond time, and ordered to be tranſcribed for a third Reading.

Adjournment

Poſt Meridiem Then the Houſe adjourned to Three o'Clock, *P. M.*

The Petition of the Public Houſe-keepers of the City of *Philadelphia*, was again read and conſidered; and, after ſome Time ſpent therein,

Ordered, That Mr. *Baynton*, Mr. *Hughes*, Mr. *Franklin* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for the Relief of the Petitioners, by rendering the Burden of quartering Soldiers more equal on the Public Houſes of this Province.

Adjournment

January 12. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Bill entituled, *An Act for regulating the Officers and Soldiers commiſſioned and raiſed by the Governor for the Defence of this Province, and for repealing an Act of General Aſſembly, paſſed in the preſent Reign for the ſame Purpoſes*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Grubb* and Mr. *Yorke*, do carry up the ſame to the Governor for his Concurrence; and acquaint him, that as he formerly recommended it to the Houſe to appoint a leſs Number to conſtitute a General Court-Martial, the Houſe are willing, if his Honour continues in the ſame Sentiments, to take any Amendment he may have to propoſe on that Head into their Conſideration.

Adjournment

Poſt Meridiem Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor report, that they had delivered the Bill and Meſſage of the Houſe according to Order; and that the Governor was pleaſed to ſay, he would take the ſame into Conſideration, and return an Anſwer to the Houſe.

The Committee to whom the Bill for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds* was committed for Amendment, reported the ſame to the Houſe, with ſundry Alterations they had made therein; and the ſame was read the firſt time, and ordered a ſecond Reading.

Adjournment

January 13. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Bill, entituled, *A Supplement to the Act, entituled, An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of* Philadelphia, *and for raiſing of Money on the Inhabitants and Eſtates of the ſaid City, for defraying the neceſſary Expences thereof*, being tranſcribed, was read the third Time.

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Roberdeau* and Mr. *Walker* do carry up the ſame to the Governor for his Concurrence, and acquaint him, that the Houſe deſire he would be pleaſed to give it all the Diſpatch in his Power.

The Gentlemen return, and report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he would take the Bill into his immediate Conſideration, and let the Houſe know his Reſult thereupon as ſoon as poſſible.

The Bill for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, &c. was read the ſecond time; and, after ſome Debate thereupon, the ſame was referred to farther Conſideration.

Adjournment

Poſt Meridiem Then the Houſe adjourned to Three o'Clock, *P. M.*

The Houſe reſumed the Conſideration of the Bill for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, &c. with the Amendments of the Committee thereto; and, after a conſiderable Debate thereon, the following Queſtion was put, *viz.*

Will the Houſe accept of the Amendment brought in by the Committee, concerning the Mode of taxing the Inhabitants of this Province, for raiſing the Sum of *One Hundred Thouſand Pounds*, voted by this Houſe? *Paſt in the Negative.*

Then

Then the House adjourned to Ten o'Clock To-morrow Morning. 1757. Adjournment *January* 14.

A Petition from divers Inhabitants of *Chester* County was presented to the House, and read, setting forth, that they laboured under very great Inconveniences for several Years past, by Reason of the great Inequality in laying the Public Taxes, owing, as the Petitioners conceive, to the unjust Returns commonly made; that the Petitioners humbly conceive, that if three Freeholders were yearly chosen in each Township, to make a Return for the Inhabitants thereof, it would enable the Assessors to lay a more just and equal Tax; the Petitioners therefore pray, that this House would take the same into Consideration, *&c.* *Ordered to lie on the Table.*

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the same was referred to farther Consideration.

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, together with a Letter from the Lords of Trade, dated *October* 9, 1756, which were read, and are as follow, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

"IN Obedience to his Majesty's Commands, I recommended to you, on the Nineteenth of *October* last, to prepare a Bill for an Embargo on Vessels carrying Provisions, under such Penalties as might render the same effectual. I have lately received a Letter from the Right Honourable the Lords Commissioners for Trade and Plantations, communicating his Majesty's further Orders to me, *That an Embargo be laid, during the King's Pleasure, upon all Ships and Vessels clearing out with Provisions, from any Port or Place within this Government, except those which should be employed in carrying Provisions to any other of his Majesty's Colonies,*" &c. This Letter I now lay before you, and once more desire an Affair of this Importance may be no longer delayed. In the mean Time the Collector is ordered to take Care that his Majesty's Commands are punctually obeyed.

January 13, 1757. *WILLIAM DENNY.*"

"*SIR,* *Whitehall, October* 9, 1756.

Letter from the Lords of Trade to the Governor.

IT having been represented to his Majesty, that the several Islands and Colonies belonging to the *French*, in *America*, have, in Times of War, been frequently supplied with Provisions of various Kinds, by Means of the Trade carried on from his Majesty's Islands and Colonies to the Colonies and Settlements belonging to the *Dutch*, and other neutral Powers; it is his Majesty's Pleasure that you do forthwith, upon the Receipt of this Order, give immediate Directions that an Embargo be laid, during his Majesty's Pleasure, upon all Ships and Vessels clearing out with Provisions from any Port or Place within your Government, except those which shall be employed in carrying Provisions to any other of his Majesty's Colonies and Plantations; which Ships or Vessels are to be allowed to sail from Time to Time, provided that the Masters or Owners do, before they are permitted to take any Provisions on board, enter into Bonds (with two Sureties of known Residence there, and Ability to answer the Penalty) with the chief Officers of the Customs of the Ports or Places from whence such Ships or Vessels shall set sail, to the Value of *One Thousand Pounds*, if the Ship be of less Burthen than One Hundred Tons; and of the Sum of *Two Thousand Pounds*, if above that Burthen, that the Cargoes of such Ships or Vessels, the Particulars of which are to be expressed in the Bonds, shall not be landed in any other Ports or Places than such as belong to his Majesty, or are in Possession of his Subjects; and that they will, within twelve Months after the Date thereof, the Danger of the Seas excepted, produce Certificates, under the Hands and Seals of the principal Officers of the Customs at such Ports or Places for which such Ships or Vessels cleared out, that the said Cargoes, expressing the Particulars thereof, have actually been landed there; and when there shall be Cause to suspect that such Certificates are false and counterfeit, you shall take especial Care that such Security be not cancelled, or vacated, until you shall have been informed from the said principal Officers of the Customs, that the Matter and Contents thereof are just and true; and in Case the Masters or Owners of such Ships or Vessels shall not produce the said Certificates within the Times limited, you are to attest the Copies of such Bonds, under your Hand and Seal, and to cause Prosecution thereof: And you are also to give Directions that no Person be admitted to be Security for another who has Bonds standing out undischarged, unless he be esteemed responsible for more than the Value of such Bonds.

And in order more fully to answer his Majesty's Intention of distressing the Enemy, and to render his Orders herein the more effectual, you are to take Care, in Case the Masters or Owners of any Ships or Vessels, having cleared out from the Colony under your Government, laden with Provisions for any of his Majesty's other Colonies or Islands, shall be detected in causing collusive Captures to be made of the Cargoes, that the severest

Penalties

1757. Penalties be inflicted upon the Offenders which the Laws will in ſuch Caſe allow of.
January 14. We are, *Sir, your moſt obedient humble Servants,*

DUNK HALIFAX,
ANDREW STONE,
JAMES OSWALD."

The Governor likewiſe ſent down, by Mr. Secretary, the Bill for binding out and ſettling the *French* Neutrals, and the Bill for regulating the Soldiers in the Pay of the Province, with a propoſed Amendment to each of them; which, Mr. Secretary ſaid, if agreed to by the Houſe, the Governor was ready to paſs the ſaid Bills into Laws, whenever the Houſe ſhould preſent them to him for that Purpoſe.

Mr. Secretary alſo brought down the Supplementary Bill to the Lamp and Watch Act, with a verbal Meſſage, that the Governor was ready to paſs the ſame into a Law, whenever the Houſe ſhould preſent it to him for that Purpoſe.

Ordered, That the ſaid Bill be engroſſed.

The Governor's propoſed Amendment to the *French* Neutral Bill, being read, was agreed to by the Houſe, and the ſaid Bill was ordered to be engroſſed, as amended.

The Governor's propoſed Amendment to the Bill for regulating the Provincial Soldiers, was read, and conſidered; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Houſe reſumed the Conſideration of the Governor's propoſed Amendment to the Bill for regulating the Officers and Soldiers in the Pay of the Province; and, after ſome Time ſpent therein,

Ordered, That Mr. *Hughes* and Mr. *Weſt* wait upon the Governor with the ſaid Bill, and acquaint him, that the Houſe having conſidered his Honour's propoſed Amendment to the Bill for regulating the Soldiers, are apprehenſive that ſeveral Inconveniences may ariſe, ſhould the ſaid Amendment be agreed to as it ſtands, and therefore the Houſe incline to adhere to the Bill; and that the ſaid Gentlemen acquaint the Governor with the Particulars of the Objections that the Houſe have to the ſaid Amendment.

Adjournment — Then the Houſe adjourned till Ten o'Clock To-morrow Morning.

January 15. The Gentlemen appointed to wait upon the Governor report, that they had delivered the Bill and Meſſage of the Houſe, according to Order; and that the Governor was pleaſed to ſay, he would take the ſame into Conſideration, and let the Houſe know his Reſult thereupon.

The Bill for binding out the *French* Neutrals, being engroſſed, was read, and compared at the Table.

The Governor, by Mr. Secretary, ſent down to the Houſe the Bill for regulating the Soldiers in the Pay of the Province, with a verbal Meſſage, that he withdrew his propoſed Amendment, and ſhould be ready to paſs the ſaid Bill, with the others, into Laws, on *Tueſday* Morning next, at Twelve o'Clock.

Ordered, That the ſaid Bill be engroſſed.

The Petition from *Philip Syng* and *Jacob Cooper* was again read, and conſidered.

The Houſe reſumed the Conſideration of the Supply Bill; and, after ſome Alterations made therein, the ſame was referred to farther Conſideration.

Adjournment — Then the Houſe adjourned to *Monday* next, at Four o'Clock in the Afternoon.

January 17. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem — The Bill for regulating the Provincial Soldiers, and the Supplementary Bill to the Lamp and Watch Act, being engroſſed, were read, and compared at the Table.

Ordered, That Mr. *Pearne* and Mr. *Weſt* wait upon the Governor, and acquaint him, that the three Bills which he has agreed to paſs are engroſſed, and the Houſe deſire he would be pleaſed to appoint ſome of his Council to meet the ſaid two Members, in order to compare the ſame with their Originals; and further, that they acquaint his Honour, that the Houſe will wait upon him To-morrow, at the Time and Place he had been pleaſed to appoint, in order to enact them into Laws.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 18. The Gentlemen appointed to wait upon the Governor with the Meſſage of Yeſternight, report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, that he would appoint two of his Council to meet the Members of the Houſe to compare the engroſſed Bills with their Originals this Morning.

A Bill to render the Burden of Quartering Soldiers more equal on the Public-houſes of this Province, was brought in by the Committee appointed to prepare the ſame, read the firſt time, and ordered a ſecond Reading.

The Gentlemen appointed to meet the Members of Council, in order to compare the engroſſed Bills with their Originals, report that they had done the ſame accordingly, and found them to agree.

Ordered

Ordered, That Mr. *Pearne* and Mr. *West* do see the Great Seal affixed to the Laws after they are passed, and the same deposited in the Rolls Office. 1757. *January* 18.

A Message from the Governor by Mr. Secretary:

SIR,

"The Governor requires the Attendance of the House in the Council Chamber "immediately, in order to pass into Laws the Bills which have been agreed upon."

Then Mr. Speaker, with the whole House, waited upon the Governor; and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor, who was pleased to give his Assent to the three following Bills, by enacting them into Laws, *viz.*

An ACT *for binding out, and settling, such of the Inhabitants of* Nova-Scotia, *imported into this Province, as are under Age; and for maintaining the Aged, Sick and Maimed, at the Charge of the Province.*

An ACT *for regulating the Officers and Soldiers commissionated and raised by the Governor for the Defence of this Province; and for repealing the Act of General Assembly passed in the present Reign for the same Purposes.* And,

A SUPPLEMENT to the Act, entituled, "An ACT *for regulating and "continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City "of* Philadelphia; *and for raising of Money on the Inhabitants, and Estates of the said City, "for defraying the necessary Expences thereof."*

Then the House adjourned to Three o'Clock *P. M.* Adjournment

The Gentlemen appointed to see the Great Seal affixed to the Laws after they were passed, and the said Laws deposited in the Rolls Office, report, that they had done the same, according to Order. *Post Meridiem*

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the same was referred to farther Consideration in the Afternoon. *January* 19.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House again went upon the Consideration of the Supply Bill; and, after some Time spent therein, the Question was put, Whether the Constable should leave blank Lists of the several Particulars to be taxed, at the House of every Taxable in his Ward or Township, to be filled up and signed by the said Person, and returned to the Constable, in order to be laid before the Commissioners and Assessors. *Post Meridiem*

Past in the Negative.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the Question being put, *Whether the Word* [Yearly] *should be struck out of the first Clause of the said Bill*? the same was *Resolved in the Affirmative.* *January* 20.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Supply Bill; and, after some Time spent therein, *Post Meridiem*

Resolved, That the Question be now put, Whether the said Bill shall be ordered to be transcribed for a third Reading?

And the said Question being accordingly put, it was

Resolved, That the said Bill be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill to render the Burden of Quartering Soldiers more equal on the Public-houses of this Province, was read the second time, and debated; and, after some Time spent therein, it was, upon the Question being put, *January* 21.

Resolved, That only such Retailers of Liquors as are liable by Law to have Soldiers quartered on them within this Province should pay the additional Excise proposed to be laid by this Bill.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

An Account from *John Ross*, of *Blue Rock*, for Provisions furnished the *Indians* at *Conestogoe*; also sundry Accounts from Mr. *James Wright*, of *Lancaster* County, for Cloathing and Provisions furnished the said *Indians*, were laid before the House, and read, and referred to the Committee of Accounts. *Post Meridiem*

The Bill to render the Burden of Quartering Soldiers more equal on the Public-houses of this Province, was read the second time; and, after some Alterations made therein, the same was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill, entituled, *An Act for granting to his Majesty the Sum of* One Hundred Thousand Pounds *for the Defence of this Colony, and the Trade thereof, by a Tax on all the Estates real and personal, and Taxables, within this Province*, being transcribed, was read the third time, and a Rider being added thereto, by Order of the House, it was, after some Debate, *January* 22.

1757. *January* 22. *Reſolved*, That the Queſtion be now put, Whether the ſaid Bill ſhall paſs?

And the Queſtion being accordingly put,

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Leech* and Mr. *Galloway* do carry up the ſame to the Governor for his Concurrence.

Adjournment. Then the Houſe adjourned to next *Monday*, at Four o'Clock in the Afternoon.

January 24. *Poſt Meridiem* The Houſe met, purſuant to their Adjournment.

The Gentlemen appointed to wait upon the Governor with the Supply Bill, report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he would give it all the Diſpatch in his Power.

Ordered, That Mr. *Pearne*, Mr. *Maſters* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for collecting the Arrearages of the *Five Thouſand Pounds* left unpaid by the Proprietaries of their Free Gift.

Ordered, That Mr. *Leech*, Mr. *Franklin*, Mr. *Walker*, Mr. *Gibbons*, Mr. *Webb* and Mr. *Yorke* be a Committee to bring in a Bill for ſtriking a Sum of Paper Money, to diſcharge the Arrears due to the Soldiers, and other Debts contracted for the Defence of the Province, to be ſunk by the firſt Monies that may ariſe from the Supply Bill now before the Governor.

The Bill, entituled, *An Act to render the Burden of Quartering Soldiers more equal on the Public-houſes of this Province*, being tranſcribed, was read a third time.

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Fox* and Mr. *Morton* carry up the ſame to the Governor for his Concurrence.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 25. The Gentlemen appointed to carry up the Bill for rendering the Burden of Quartering Soldiers more equal on the Public-houſes, report, that they had delivered the ſame, according to Order.

A Bill to impower the Collectors of the County of *Philadelphia* to collect and receive of and from the Proprietaries Receiver General, the Sum of *Two Thouſand Eight Hundred and Forty Pounds Fifteen Shillings and Two-pence*, it being the Reſidue of their Free Gift of *Five Thouſand Pounds* towards the Defence of this Province, not yet paid, was brought in by the Committee appointed to prepare the ſame, read the firſt time, and ordered a ſecond Reading.

Reſolved, That Mr. *Fox* be, and he is hereby appointed, one of the Superintendants of the State-houſe, in the Room of *Edward Warner*, deceaſed.

The Bill for forming and regulating the Militia within this Province was read the ſecond time, and conſidered; and, after ſome Time ſpent therein, was referred to farther Conſideration.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor, by Mr. Secretary, ſent down to the Houſe a Meſſage in Writing, together with the Supply Bill; and the ſaid Meſſage being read, is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'SOON after my Arrival to this Government, I received a Meſſage from the Aſ-
'ſembly, *requeſting me to lay before them full Copies of ſuch Proprietary Inſtructions as*
'*related to the Paſſing of Money Bills, that the Delays which had been occaſioned by the not*
'*communicating ſuch Inſtructions to them, till much Time had been ſpent in forming Bills,*
'*inconſiſtent with ſuch Inſtructions, might thereby for the future be avoided.* I immediately
'furniſhed them with a Copy of all the Inſtructions given me on that Head, which
'I preſume are entered on the Minutes of your Houſe; and in a ſubſequent Meſſage in-
'formed them, *I could not break through ſuch Inſtructions, without riſking both my Honour*
'*and Fortune.* In conſidering the Bill now before me, for granting to his Majeſty the
'Sum of *One Hundred Thouſand Pounds*, by a Tax on all the Eſtates real and perſonal,
'and Taxables, within this Province, I am ſorry to find it is in many Parts ſo repugnant
'to theſe Inſtructions, that I am under a Neceſſity of refuſing my Aſſent to it. The
'Proprietaries are willing their Eſtates ſhould be taxed in the Manner that appears to
'them to be reaſonable, and agreeable to the Land-Tax Acts of Parliament in our
'Mother Country. I am not inclined to enter into any Diſpute with you on the Sub-
'ject, ſince it cannot be decided on this Side the Water, nor can I ſee what good End
'it can anſwer, as the Proprietaries have poſitively enjoined me not to paſs any Bill that
'is againſt their Inſtruction. As his Majeſty's Service, and the Defence of this Province,
'render it neceſſary to raiſe immediate Supplies, I muſt earneſtly recommend it to you
'to frame ſuch a Bill as it is in my Power to paſs, conſiſtent with my Honour and my
'Engagements to the Proprietaries, which I am perſuaded you will not deſire me to
'violate. I have ſome Amendments to propoſe to particular Parts of the Bill now be-
'fore me, which I ſhall communicate to you, as ſoon as I know whether you determine
'to prepare a new Bill, free from the Objection I have above mentioned.

January 25, 1757. *WILLIAM DENNY.*"

And

And the foregoing Message being again read and considered, 1757. January 25.

Ordered, That Mr. *Hughes* and Mr. *Galloway* wait upon the Governor, and request that he would be pleased to explain the latter Part of his Message, the House being in Doubt whether it relates to the Supply Bill, or the Bill for rendering the Burden of Quartering Soldiers more equal on the Public House-keepers of this Province, which is now under his Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, *January* 26. report, that they had delivered the same, according to Order; and that the Governor was pleased to say, that the latter Part of his Message of Yesternight, mentioning the Amendments he had to propose to the Bill before him, related to the Supply Bill sent down to the House; and he was surprised that the House should not understand it in that Sense.

Mr. Speaker's Paper of Authorities, relating to Money Bills; Governor *Morris's* List of Money Bills, which he said had been amended by former Governors; the Committee's Report thereon; the Proprietaries Instructions relating to Money Bills; and the Report of a Committee of the last Assembly thereupon, were severally read by Order.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Governor's Message of Yesternight; and, *Post Meridiem* after some Time spent therein, it was moved, that the whole House should wait upon the Governor, with the Speaker at their Head, and present to him the Money Bill once more, together with the following Remonstrance, *viz.*

To the Honourable WILLIAM DENNY, *Esq*; *Lieutenant-Governor of the Province of* Pennsylvania, *&c.*

The REMONSTRANCE of the GENERAL ASSEMBLY of the said Province, in Answer to the Governor's Message of *Tuesday* last, containing his Refusal of the Supply Bill, because not drawn conformable to the Proprietary Instructions.

May it please your HONOUR,

THE Representatives of the Freemen of *Pennsylvania*, in General Assembly met, do hereby humbly remonstrate to your Honour, Assembly's Remonstrance to the Governor.

That the Proprietaries professed Willingness to be taxed, mentioned by your Honour in your Message of *Tuesday* last, can be intended only to amuse and deceive their Superiors; since they have in their Instructions excepted all their Quitrents, located unimproved Lands, Purchase Money at Interest, and in short so much of their vast Estate, as to reduce their Tax, as far as appears to us, below that of a common Farmer or Tradesman.

That though the Proprietaries Instructions are by no Means Laws in this Province, we have so far complied with them, as to confine the Sum given to be raised in one Year. And had we complied with them in the other Particulars, the Raising any Thing near the Sum required by the present Exigencies of the Province, would be absolutely impossible.

That the apparent Necessity of so large a Sum for his Majesty's Service, and the Defence of this his Province, founded upon the Governor's own Estimate, has obliged us to an Effort beyond our Strength, being assured that Hundreds of Families must be distressed to pay this Tax.

That we have, in the due Exercise of our just Rights by the Royal and Provincial Charters, and the Laws of this Province, and as an *English* Representative Body, framed this Bill, consistent with those Rights.

That the Bill is agreeable to Justice and Equity, with regard to the Proprietaries, and is not repugnant to the Laws of our Mother Country, but as nearly agreeable thereto as our different Circumstances will permit, nor is it contrary to any Royal Instruction whatever.

That great as the Sum is, and hard for this People to pay, we freely offer it to our gracious King for his Service, and the Defence of this his Colony from his Majesty's Enemies.

That the Proprietaries refusing to permit us to grant Money to the Crown, in this Time of War and imminent Danger to the Province, unless we will consent thus to exempt their Estates from the Tax, we conceive to be injurious to the Interests of the Crown, and tyrannical with regard to the People.

That we do farther humbly conceive, neither the Proprietaries nor any other Power on Earth ought to interfere between us and our Sovereign, either to modify or refuse our Free Gifts and Grants for his Majesty's Service.

That

1757. *January* 26. That though the Governor may be under Obligations to the Proprietaries, we conceive he is under greater to the Crown, and to the People he is appointed to govern; to promote the Service of the former, preſerve the Rights of the latter, and protect them from their cruel Enemies.

We do therefore, in the Name of our moſt gracious Sovereign, and in Behalf of the diſtreſſed People we repreſent, unanimouſly DEMAND it of the Governor, as our Right, that he give his Aſſent to the Bill we now preſent him, for granting to his Majeſty *One Hundred Thouſand Pounds* for the Defence of this Province (and, as it is a Money Bill, without Alteration or Amendment, any Inſtructions whatſoever from the Proprietaries notwithſtanding) as he will anſwer to the Crown for all the Conſequences of his Refuſal at his Peril."

And the ſame being read and conſidered, was agreed to by the Houſe, and ordered to be tranſcribed, that it may be preſented to the Governor.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 27. The Remonſtrance to the Governor being tranſcribed, was again read; and being ſigned by Mr. Speaker, by Order of the Houſe,

Reſolved, That the ſame be, with the Supply Bill, delivered to the Governor, by Mr. Speaker, and the whole Houſe.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor, and acquaint him, that the Houſe deſire he would be pleaſed to appoint a Time and Place for them to wait upon his Honour with the Supply Bill, and a Remonſtrance relating thereto.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Gentlemen report, that they had delivered the Meſſage of the Houſe, according to Order; and that the Governor was pleaſed to ſay, he would be at the Council Chamber at Twelve o'Clock To-morrow Morning, in order to receive the Houſe, with their Remonſtrance.

Mr. Speaker, by the Leave of the Houſe, brought in a Bill for the further Continuance of an Act of General Aſſembly of this Province, entituled, *An Act for the more eaſy Recovery of Legacies within this Province*, which was read the firſt time, and ordered a ſecond Reading.

The Houſe reſumed the Conſideration of the Militia Bill; and, after ſome Time ſpent therein, the ſame was referred to farther Conſideration.

Upon Motion made,

Reſolved, That the Clerk do attend every Morning at Half an Hour after Ten o'Clock at fartheſt, and give Notice to Mr. Speaker when there ſhall be a ſufficient Number of Members met to make a Houſe; and that if the Clerk ſhall not attend and give Notice as aforeſaid, he ſhall be fined, unleſs he is prevented by being on the Buſineſs of the Public.

Adjourn ment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 28. A Meſſage from the Governor by Mr. Secretary:

"*SIR*,

"The Governor is now in the Council Chamber, ready to receive the Houſe."

Then Mr. Speaker, with the whole Houſe, waited upon his Honour; and being returned, Mr. Speaker reſumed the Chair, and reported, That the Houſe had waited upon the Governor in Council, and delivered the Remonſtrance of the Houſe; to which his Honour was pleaſed to make the following Anſwer, *viz.*

Mr. Speaker, and Gentlemen of the Aſſembly,

Governor's Anſwer to the Aſſembly's Remonſtrance. 'THE ſame Reaſons which induced me to refuſe my Aſſent to this Bill, when it was preſented before, ſtill weigh with me, and determine me now again to reject it.

'I ſhall, however, keep the Bill, till I have taken a Copy of it, in order to lay it before his Majeſty, with my Reaſons for not paſſing it, and then return it.

'If the Houſe deſire an Exemplification of the Bill under the Great Seal, they may have it upon Application.

'The other Parts of your Remonſtrance I ſhall take Time to conſider of."

Ordered, That Mr. *Galloway* and Mr. *Franklin* wait upon the Governor, and acquaint him, that the Houſe deſire he would be pleaſed to cauſe the Great Seal to be affixed to an Exemplification of the Supply Bill, for the Uſe of the Houſe; alſo, that his Honour would be pleaſed to favour the Houſe with a Copy of thoſe Reaſons for not paſſing the ſaid Bill, which he propoſes to tranſmit to his Majeſty.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Gentlemen report, that they had delivered the Meſſage of the Houſe, according to Order; and that the Governor was pleaſed to ſay, that he would give Orders for the Great Seal to be affixed to an Exemplification of the Supply Bill, for the Uſe of the Houſe; and that he would conſider the Requeſt of the Houſe for a Copy of the Reaſons of his Refuſal of the ſaid Bill, and let the Houſe hear from him thereupon.

The

The House went upon the Consideration of the Governor's Answer to the Remonstrance of the House; and, after some Time spent therein, 1757. January 28.

Resolved, N. C. D. That a Commissioner or Commissioners be appointed to go Home to *England*, in Behalf of the People of this Province, to solicit a Removal of the Grievances we labour under by Reason of Proprietary Instructions, &c.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Ordered, That Mr. *Denormandie* have Leave to be absent four Days of the next Week; and that Mr. *Morton*, Mr. *Carpenter* and Mr. *Webb* have Leave to be absent the Whole of next Week, on urgent Business. *January* 29.

The four Provincial Commissioners, Members of this House, who were appointed to attend the Governor at the late Conference with the *Indians* at *Easton*, presented a Paper to the House, which was read, and is as follows, *viz.*

Report of the Committee relating to the Conferences with the *Indians* at *Easton*.

WE, the Committee appointed to attend the Governor at the Conferences with the *Indians* at *Easton*, in *November* last, have perused the Copy of those Conferences, drawn up and signed by the Secretary, and laid before the House;

And as we apprehend it of Importance to the Province, that the Complaints made by the *Indians*, whether justly founded or not, should be fully represented, and their Sense of them understood, we think it necessary to observe to the House, that we conceive the Warmth and Earnestness with which they insisted on the Wrongs that had been done them in the Purchases of Land, are much too faintly expressed in this Account of the Conference. That we were not present at the palliating Hearsay Accounts of the Walking Purchase, said to be given the Governor by Mr. *Weiser* and Mr. *Peters*, on the Fourteenth of *November*; though by the concluding Paragraphs under that Date, it may seem as if we were: But we well remember, that the Transaction of that Walk was at *Easton* universally given up as unfair, and not to be defended, even from the Accounts of some of our own People, who were present at the Walking; even the Secretary, though he did say, that he *believed* Satisfaction was afterwards made the *Indians*; and that this was the only Instance in which any Foundation of Complaint had ever been given them, yet this he allowed was (in his own Words) *unworthy of any Government*. We would farther observe, that when *Teedyuscung* claimed the Lands, even those on which the Conferences were held, no Objection was made, that neither he, nor any with him, had any Right to them; nor did we ever understand his Reason for not accepting Satisfaction to be as represented in the second Paragraph under *November* 17, for that "*the People* "to whom the Land belonged were absent;"—but for that many of them were absent, and those who were absent had not impowered him to act for them in that Matter; but he would endeavour to bring them in the Spring.

The Offer of the Commissioners to furnish the Means of making the *Indians* immediate Satisfaction, not being fully related, we think it necessary to add, that the Reasons we gave the Governor for that Offer, were, 1. The Absence and great Distance of the Proprietaries, who being the sole Purchasers of Land from the *Indians* in this Province, ought, if the *Indians* were injured in such Purchases, alone to make the Satisfaction; but their Agents here had not the necessary Powers. 2. For that Promises [such being proposed] of enquiring into *Indian* Complaints, and doing them Right hereafter, had been so often made in other Governments, and so little observed, we imagined they could be of no Weight, and would rather be looked upon as a Denial of Justice; and therefore, we thought it better, as their Demands are seldom very high, to make them immediate Reparation for the Injuries they supposed they had received, and we would furnish the Goods, and risk the Proprietaries repaying their Value to the Province. The Secretary then told us, that he thought our Proposal very considerate and well-judged; that he was sure the Proprietaries would think themselves obliged to us, and repay the Money with Thanks: The Offer was accordingly made, but not accepted for the Reasons above-mentioned. We then waited upon the Governor in a Body, and acquainted his Honour, That, as we had made the Offer in Behalf of the Province, not from an Opinion that the Province ought to be at such Expence, but from the apparent immediate Necessity of the Thing, and on Account of the Proprietaries Absence as aforesaid; so now, since the final Settlement of the *Indians* Claims was postponed to the Spring, and there would be sufficient Time to write to the Proprietaries, and obtain their Orders to their Agents for the Payment of such Sums as should be found necessary, we looked on ourselves and the Province as totally disengaged from that Offer, and expected that the Proprietaries would be wrote to accordingly.

BENJAMIN FRANKLIN, JOSEPH FOX,
January 29, 1757. WILLIAM MASTERS, JOHN HUGHES."

Upon Motion made,

Resolved, N. C. D. That Mr. Speaker and Mr. *Franklin* be requested to go Home to *England*, as Commissioners, to solicit the Removal of our Grievances, occasioned by

1757. *January* 29. Proprietary Inſtructions, *&c.* And being accordingly requeſted thereto by the Houſe, they deſired ſome Time to conſider thereof.

It being moved, that the Houſe would be able to go through more Buſineſs, were they to meet but once a Day, and not adjourn at Noon, than by the Method they are in the Practice of at preſent;

Reſolved, That this Houſe will, during the next Week, make Trial of the Method propoſed, and for that Purpoſe will meet at the Hour of Ten in the Morning, and ſit till Three or Four o'Clock in the Afternoon.

Adjournment *January* 31. Then the Houſe adjourned to *Monday* next, at Four o'Clock in the Afternoon.

Poſt Meridiem Adjournment There not being a ſufficient Number met to make a Houſe, the Members preſent adjourned to Ten o'Clock To-morrow Morning.

February 1. A Quorum being met, the Houſe went upon the Conſideration of the Governor's Refuſal of the Supply Bill; and, after ſome Time ſpent therein, it was

Reſolved, That a new Bill be brought in for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds* for the Defence of this Province and the Trade thereof, to be raiſed by a Tax on all Eſtates, real and perſonal, and Taxables, within this Province, (the Eſtates of the Honourable the Proprietaries only excepted) in the Manner preſcribed by the Act now in Force for granting *Sixty Thouſand Pounds* to the King's Uſe; and it is referred to Mr. *Baynton*, Mr. *Franklin*, Mr. *Owen* and Mr. *Gibbons*, to prepare and bring in the ſame.

Ordered, That the Committee of Accounts do make a Report to the Houſe of the preſent State of the Funds of the General Loan-Office.

The Bill for the Continuance of the Act relating to Legacies, *&c.* was read the ſecond time, and ordered to be tranſcribed for a third Reading.

The Bill for collecting the Arrearages of the Proprietaries Free Gift of *Five Thouſand Pounds*, was read the ſecond time; and, after ſome Time ſpent therein,

Ordered, That it be committed to the Committee appointed to bring in a new Supply Bill, for Alteration and Amendment.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 2. *Ordered*, That the two *Indian* Conferences, lately held with the *Indians* at *Eaſton*, with the Report of the Committee attending the laſt of the ſaid Conferences, be printed, and publiſhed as ſoon as conveniently may be.

A Supplement to the Act entituled, *An Act for granting the Sum of* Sixty Thouſand Pounds *to the King's Uſe, and for ſtriking* Fifty-five Thouſand Pounds *thereof in Bills of Credit, and to provide a Fund for ſinking the ſame*; and for granting to his Majeſty the additional Sum of *One Hundred Thouſand Pounds*, was brought in by the Committee appointed to prepare the ſame, and read the firſt and ſecond time, by ſpecial Order; and, after ſome Alterations made therein, the ſame was ordered to be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 3. The Bill, entituled, *An Act for the further Continuance of an Act of General Aſſembly of this Province, entituled, An Act for the more eaſy Recovery of Legacies within this Province*, being tranſcribed, was read the third time.

Reſolved, That the Bill do paſs.

The Bill, entituled, *A Supplement to the Act, entituled, An Act for granting the Sum of* Sixty Thouſand Pounds *to the King's Uſe, and for ſtriking* Fifty-five Thouſand Pounds *thereof in Bills of Credit, and to provide a Fund for ſinking the ſame; and for granting to his Majeſty the Additional Sum of* One Hundred Thouſand Pounds; being tranſcribed, and ſundry Blanks which had been left therein being filled up, was read the third time.

Reſolved, That the Bill do paſs.

The Governor, by Mr. Secretary, ſent down to the Houſe the Bill for rendering the Burden of Quartering Soldiers more equal on the Public-houſes of this Province, with a Paper containing five ſundry propoſed Amendments; which were read, and all of them, except the third, were agreed to by the Houſe.

Ordered, That Mr. *Pearne* and Mr. *Weſt* wait upon the Governor, and acquaint him, that the Houſe have agreed to all of his propoſed Amendments, except the third, and deſire that he would be pleaſed to paſs it as it now ſtands amended; and further, that they deliver the Supply Bill, and the Bill for continuing the Act for the more eaſy Recovery of Legacies, and deſire his Honour's Concurrence thereto.

Mr. Speaker and Mr. *Franklin*, being called upon by the Houſe, to declare whether they would comply with the Requeſt of the Houſe in going Home to *England*, to ſolicit a Redreſs of our Grievances;

Mr. Speaker ſaid, "That he returned the Houſe all due Acknowledgments for their "kind Opinion, and the high Truſt repoſed in him, by naming him with the worthy "Member they had joined in the Commiſſion they propoſed, to ſolicit the Removal "of our Grievances, occaſioned by Proprietary Inſtructions, and the late Infractions of "our Charters; but the Members muſt be ſenſible, that, in the preſent State of his

"Health,

" Health, the Undertaking a Voyage to *England*, though attended with the moſt pro- 1757.
" ſperous Succeſs, could not be convenient to him at this Time; that from his Ex- *February* 3.
" perience in the Public Buſineſs of the Province, he might probably be of more Service
" to the Houſe here, under their preſent critical Circumſtances: Nevertheleſs, he re-
" queſted the Members would ſeriouſly conſider in what Capacity they apprehended he
" could beſt ſerve them and the Province, without any Regard to himſelf or his private
" Affairs, and diſpoſe of him accordingly, being reſolved to prefer their deliberate De-
" termination in this important Caſe to every other Conſideration."

Mr. *Franklin* ſaid, " That he eſteemed the Nomination by the Houſe to that Service
" as an high Honour, but that he thought, if the Speaker could be prevailed on to un-
" dertake it, his long Experience in our public Affairs, and great Knowledge and Abi-
" lities, would render the Addition of another unneceſſary: That he held himſelf
" however in the Diſpoſition of the Houſe, and was ready to go whenever they ſhould
" think fit to require his Service."

Reſolved, That the unanimous Thanks of this Houſe to Mr. Speaker and Mr. *Franklin*, for their ready Compliance with the Requeſt of the Houſe, be entered on the Minutes.

Reſolved, That this Houſe will make Proviſion for defraying the Expence that may attend their Voyage, and the Solicitation of the Affairs of the Province in *England*; and that Mr. *Franklin* do firſt go over.

Reſolved, That *Benjamin Franklin*, Eſq; be, and he is hereby appointed Agent of this Province, to ſolicit and tranſact the Affairs thereof in *Great-Britain*.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the Bills which had paſſed the Houſe report, that they had delivered the ſame, according to Order; and that the Governor was pleaſed to ſay, he would take them into his immediate Conſideration. *February* 4.

The Letter from the Lords of Trade to the Governor relating to an Embargo, dated *October* 9, 1756, and the King's additional Inſtruction to the Governor on that Head, dated *July* 5, 1756, were again read, and conſidered.

The Bill for preventing the Exportation of Proviſions, naval or warlike Stores, from this Province to any of the Dominions of the *French* King, or to any Port or Place in *America*, not in the Poſſeſſion of the Subjects of his *Britannic* Majeſty, was read the ſecond time, Paragraph by Paragraph, and, after ſome Alterations made therein, the ſame was ordered to be tranſcribed for a third Reading.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill entituled, *An Act to prevent the Exportation of Proviſions, naval or warlike Stores, from this Province to any of the Dominions of the* French *King, or to any Port or Place in* America, *not in the Poſſeſſion of the Subjects of his* Britannic *Majeſty*, being tranſcribed, was read the third time. *February* 5.

Reſolved, That the Bill do paſs.

Ordered, That Mr. *Denormandie* and Mr. *Hunt*, do carry up the ſame to the Governor for his Concurrence; and acquaint his Honour, that the Houſe deſire he would be pleaſed to recommend it to the Aſſembly of the Lower Counties to paſs a Bill for the ſame Purpoſes, otherwiſe the good Intent of this Bill would be in a great Meaſure fruſtrated.

The Houſe agreed to meet at the Hour of Ten in the Morning, and ſit till Three or Four o'Clock in the Afternoon, during the Week enſuing.

Then the Houſe adjourned to *Monday* next, at Five o'Clock in the Afternoon. Adjournment

The Houſe met, purſuant to their Adjournment. *February* 7.

The Governor, by Mr. Secretary, ſent down to the Houſe the Bill for rendering the Burden of Quartering Soldiers more equal on the Public-houſes of this Province, with the following Meſſage in Writing, *viz.* *Poſt Meridiem*

GENTLEMEN,

' I HAVE again attentively conſidered the Bill, entituled, *An Act to render the Bur-* A Meſſage
' *den of Quartering of Soldiers more equal on the Public-houſes of this Province*, but can- from the Go-
' not agree to paſs it, unleſs you accede to the third Amendment, by which it was pro- vernor to the
' poſed to lay the Duty of *Two-pence per* Gallon generally upon all Liquors retailed Aſſembly.
' within this Province, without confining it to the Public-houſes only, and think it
' proper to inform you, that I am induced to adhere to that Amendment for the fol-
' lowing Reaſons.

' *Firſt*, Unleſs the Duty is general, the Bill, which ſeems calculated for the Re-
' lief of Public Houſe-keepers, and others on whom his Majeſty's Soldiers are quartered,
' will be ſo far from anſwering the good Ends propoſed by it, that it will involve them
' in new Diſtreſſes, it being evident that they muſt loſe a great Share of their Buſineſs
' if Liquors can be purchaſed of other Retailers, who are not obliged to pay the ad-

' ditional

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'ditional Duty, at cheaper Rates than they, who muſt pay the Duty, can afford to 'ſell.

'*Second*, If the Duty is confined to Liquors ſold in Public-houſes, it will fall greatly 'ſhort of the Sum propoſed by the Bill to be allowed to Public Houſe-keepers for their 'Charge and Trouble in making Proviſion for ſuch Soldiers as are quartered upon them. 'I flatter myſelf theſe Reaſons will have Weight with you, and induce you to agree to 'the Amendment.

February 7, 1757. *WILLIAM DENNY.*"

And the ſaid Meſſage being read and conſidered,

Ordered, That Mr. *Hughes* and Mr. *Franklin* be a Committee to prepare a Draught of an Anſwer to the ſame.

Adjournment *February* 8.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Gentlemen appointed to wait upon the Governor with the Bill for preventing the Exportation of Proviſions, naval or warlike Stores, to the *French*, &c. report, that they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, that he would take it into his immediate Conſideration; and that he would likewiſe recommend it to the Aſſembly of the three Lower Counties to paſs a Law for the ſame Purpoſes.

The Committee appointed to prepare a Draught of a Meſſage to the Governor, in Anſwer to his Meſſage of Yeſternight, reported the ſame to the Houſe; and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Houſe being informed, that there were ſundry of the Neutral *French* without, who deſired to be admitted, in order to preſent a Petition to the Houſe, they were called in; and they then preſented a Petition, of which the following is a literal Tranſlation, *viz.*

To the Honourable Mr. NORRIS, *Chief of the* ASSEMBLY *of* Philadelphia, *and to the other honourable Members of ſaid Aſſembly.*

GENTLEMEN,

Petition of the *French* Neutrals.

PERMIT unfortunate Perſons, loaded with the Weight of their Miſeries, to take the neceſſary Steps to free themſelves from the Burden, by imploring the Succour of thoſe in whoſe Power it is to relieve them.

Pardon us, Gentlemen, if, under our preſent Misfortunes, we make bold to renew our Importunities; we follow in that the Advice of Jeſus Chriſt, who aſſures us, that whoſoever aſketh receiveth, *&c.* Being convinced then of the Truth of theſe Words of our divine Saviour, we are under no Apprehenſion, but that by perſevering in knocking, the Door will at length be opened unto us.

You are not unacquainted with our Misfortunes, which we beſeech you again to take under your Conſideration, and to give Attention to the Repreſentations which we have already made, relating to our Right to thoſe Lands granted us by his *Britannic* Majeſty in *Nova Scotia*, of which we have been deprived: That is over and gone; our only Refuge now is in the Compaſſion and Charity you have hitherto manifeſted towards us, in furniſhing us with the Neceſſaries of Life. But, alas, O ſorrowful Change for us! the very Gentlemen who vouchſafed thus charitably to receive us, and preſerve our Lives, will not now let us live, for they have brought us into a Condition worſe than Death, in depriving us of a Part of ourſelves, by the Act printed the 27th of *January*, 1757. O merciful Gentlemen, what Crime have theſe innocent Creatures been guilty of, that you ſhould thus ſeparate them from thoſe who, after God, are Authors of their Lives? Being deprived of that Subſtance which God had granted us, permit us at leaſt to live or die with our Children, and thoſe of our deceaſed Brethren. Permit us, Gentlemen, to aſk in what Quality we are here? Be pleaſed to tell us, whether we are Subjects, Priſoners, Slaves or Freemen? In our Opinion we are not Subjects, inaſmuch as it appears to us unparalelled, that his *Britannic* Majeſty ſhould ever oppreſs his Subjects in the Manner we have been oppreſſed.

Though we read that God has reduced his People under the hardeſt Captivity, as in *Egypt*, under *Pharaoh*, and in *Babylon*, under *Nebuchadnezzar*; yet we do not read that theſe Princes that thus oppreſſed them ever ſeparated the Children from their Parents; and although Hiſtory furniſhes us with ſuch ſtrange Events, they ought, to Chriſtian Princes, and Diſciples of Jeſus Chriſt, to be Examples rather to be wondered at than imitated.

If we are Criminals, we are ready to ſubmit to the Puniſhment due to our Crimes; but to ſeparate innocent Children, who have committed no Crime, from their Parents, appears contrary to the Precept of Jeſus Chriſt, who tells us, that the Son ſhall not bear the Iniquity of the Father. Beſides, every Superior ought to do Juſtice to his Subjects, whether in puniſhing them when guilty, or recompenſing them when they have done well,

well, and to condemn none unheard, notwithstanding which, we do not feel the Effects of this Maxim. 1757. *February* 8.

This is a convincing Proof of our not being in the Situation of Subjects, when the Governors of *Halifax*, viz. His Excellency *Edward Cornwallis*, *Peregrine Thomas Hopson* and Mr. *Charles Lawrence* proposed to us an Oath, different from that which we formerly had taken, they did not look upon us as Subjects; for Mr. *Lawrence*, in the Presence of his Majesty's Council, told us, that we were at Liberty to take or refuse the new Oath; and upon our asking in what the Oath he proposed to us consisted, he answered, that we must become *Englishmen*, to all Intents and Purposes, like him. From hence it appears, that we were not Subjects; and not having accepted the Oath, which would have made us such, we still remain as we were. He moreover told us, that since we would be *Frenchmen*, he made us Prisoners of War, and that he would transport us to our own Country. Neither can we be called Slaves, because Christians have never made a Trade of such as believe in Jesus Christ. We are not Freemen neither, seeing we cannot withdraw into the Country promised us. Perhaps we shall be told, that we are free in this Country, and that we may live here like others; but what Likelihood is there of subsisting in a Country, the Language of which is unknown to us. We then conclude ourselves Prisoners, for we must be something, or be reduced to a State of Non-existence. If we are then Prisoners, we ought to be looked upon as such, and that Provision be made for us accordingly, without separating the Members from the respective Families.

But the Charges that the Province is obliged to be at for our Subsistence, are too heavy for the Inhabitants to bear; and in order to discharge them from that Burden, you have thought proper, Gentlemen, to make a Law, by which we are to be deprived of our Children; it appears to us very hard to be subjected to such a Law. The Province might much easier discharge its Subjects from that Burden, by giving us our Liberty, in causing us to be transported to our own Country, whereby the End of the Law will be answered, in taking off from the Province the Burden which it is oppressed with by our being kept among them. Besides, the Province of *Pennsylvania* is populous enough; besides, what Advantage can be expected by keeping an unfortunate People against their Will.

We have abandoned our Possessions only from the View of keeping our Children, wherein we have pursued our natural Rights; we must then conclude ourselves the most unhappy People that ever appeared, if, after having lost what God had given us, for the Subsistence of our Families, we see ourselves again forced to tear our Children from the Arms of our tender Wives. In the sorrowful Circumstances to which we are reduced, we desire you, Gentlemen, to believe, that our Condition would appear to us much less unhappy, should we see our Children and ourselves perish; nevertheless, we hope that the Almighty, whom we all adore, will be so gracious to us, as to inspire you with Sentiments of Compassion and Charity, in not doing to others that which you would not have done to yourselves, and that he will influence you to fulfil his Word: Be ye merciful as your heavenly Father is merciful; and that he will be pleased to soften your Hearts, in Behalf of a People plunged into an Abyss of Bitterness and Sorrow. Ye charitable Gentlemen, we hope that God will, through your Favour, do by us as he did by *Hagar* and *Ishmael*, when they were both driven out of *Abraham's* House; when the Bread and Water which *Abraham* had given *Hagar* was expended, she found herself in the Desert of *Beersheba*, she went at a Distance from the Child, in order not to see him die, then she lifted up her Voice to the Almighty, and wept. God heard the Voice of the Child, and sent his Angel, which shewed her a Well filled with Water, out of which she drew, and thereby saved the Child's Life.——We put up our daily Lamentations to the Almighty, that he would be pleased to preserve us from the Evil which threatens us, and we hope that merciful and good God will make Angels of you, who will procure us the proper Means to preserve our Children, in the same Manner which he provided to *Hagar*, in order to save her dear *Ishmael*. We hope, by the Favour of the Almighty, we shall one Day see again our dear Country, or at least be permitted to join our Nation in some Place, consistent with the Preservation of our Family. Nevertheless, if the Gentlemen are not disposed to be at the Charge of transporting us, having already been at considerable Expence on our Account, we hope that at least they will permit us to go away ourselves; it is true we are not in a Capacity to do it; yet perhaps, by the Assistance of certain charitable Persons, we shall find Means to compass it; at all Events, we are all disposed to sell the little that remains to us, as some Household-Goods, and our Clothing, to enable us to regain our Liberty.

Perhaps, Gentlemen, you may fear, that if we are released we shall join the Enemy, and aid them to bring War into his Majesty's Provinces; fear not, Gentlemen; if we had inclined to War, we should have been still, perhaps, in our own Country. Besides, we are ready to give the most solemn Assurance, that we will not take up Arms against his *Britannic* Majesty, nor against this Province, from which we have experienced

1757. *February* 8. rienced nothing but Good, and for which ourſelves, our Wives, and our Children, ſhall not ceaſe to ſupplicate the Almighty, that he would heap upon you all Bleſſings, both ſpiritual and temporal. Theſe are the moſt ſincere Wiſhes of thoſe who are, with all poſſible Reſpect, *&c.*

Signed by *Oliver Tibaudat*, *Piere Melancon*, *Piere Babin*,
Paul Bujauld, *Piere le Blanc*, *Jean la Prince*,
Jean Chenet, *Joſeph Tabave*, *Simon Hebert*,
Joſeph Blanchard, *Piere au Coin*, *Daniel le Blanc*,
Piere Landrii, *J. Baptiſte David*, *Charles le Blanc*,
Paul au Cair, *Olivier au Coin*, In Behalf of the Whole."

P. S. We very humbly ſupplicate you, honourable and reſpectable Gentlemen, to let us know your Intentions with regard to us, in Conſequence of this our Repreſentation, that we may no longer languiſh under our Misfortunes."

The Bill for forming and regulating the Militia of this Province, was again read, and conſidered; and, after ſome Progreſs made therein, the ſame was referred to farther Conſideration.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 9. The Tranſlation of the *French* Neutrals Petition was read, and conſidered; and Mr. Speaker laid before the Houſe another Copy of the ſaid Petition, directed to the Governor, which the Secretary had delivered to the Speaker, in order to be communicated to the Houſe.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. BY our late Law, extending ſeveral Sections of the Act of Parliament, entituled, "*An "Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and "their Quarters,*" all the Public-houſes in this Province were ſubjected to the Billeting of Soldiers quartered within the ſame; and had the Circumſtances of his Majeſty's Service admitted of their being quartered equitably and proportionably on all thoſe Houſes, the Bill we preſented to your Honour would not have appeared to us neceſſary. But ſince it has been thought fit, that the whole Number quartered in the Province, ſhould be billeted in *Philadelphia*, and the Public Houſe-keepers throughout the reſt of the Province bear no Part of the Burden, this Bill was intended to render it more equal among them all; not to take it from them, and lay it upon the People, which would be the Caſe, ſhould your Honour's propoſed Amendment be acceded to; for if the Exciſe be made general, the Price muſt riſe proportionally on the Commodity exciſed, and the Farmers and labouring People, who chiefly buy it of the Retailers, and conſume it at their Harveſts, and other Labour, muſt pay the Addition.

But the Public Houſe-keepers, who ſell for the moſt Part by ſmall Meaſure, and receive at the Rate of *Ten Shillings per* Gallon for Rum that perhaps coſts them not more than *Three Shillings*, may, we think, afford to pay *Two-pence* a Gallon above the preſent general Exciſe of *Four-pence*, without any great Inconveniency; ſince the other Retailers, who are confined to ſell by no leſs Meaſure than a Quart, cannot interfere with them in that moſt profitable Part of their Buſineſs.

We would beg Leave farther to obſerve, that at preſent the Soldiers billeted on the Public-houſes at *Philadelphia*, amount, on an Average, to about four for each Houſe; and that the Expence of furniſhing Quarters, and Neceſſaries in Quarters to each Man, at *Four-pence per Diem*, will in Three Months for four Men amount to *Six Pounds*; this the Public-houſes are at preſent ſuppoſed to be burdened with; but the Addition to their Exciſe, by the propoſed Bill, would in few Inſtances exceed *Thirty Shillings*, and they would be repaid the *Six Pounds*. We conceive therefore, that the Payment of *Thirty Shillings* in a Year, could not occaſion the Loſs of a great Share of their Buſineſs, when the Payment or Expence of *Six Pounds* has no ſuch Effect. And that dividing equally among the whole Number of Public-houſes, a Burden which at preſent lies wholly on a Part only, muſt, in the Nature of Things, make it lighter on that Part.

Whether the Fund propoſed will be ſufficient, we cannot ſay, as both its Produce, and the Continuance of the Soldiers here, are uncertain. If it ſhould fall ſhort, a future additional Proviſion may be made, when it ſhall be thought neceſſary. We therefore offer the Bill again to the Governor for his Aſſent: If he ſhall, upon Conſideration of the Reaſons above given, think fit to wave his Amendment, the Bill may afford thoſe People ſome immediate Relief: If not, Affairs of greater Importance will not at preſent admit of our ſpending more Time about it."

And the ſame being ſigned by Mr. Speaker, by Order of the Houſe,

Ordered, That Mr. *Galloway* and Mr. *Yorke* wait upon the Governor, and deliver the ſame,

same, together with the Bill for rendering the Burden of Quartering Soldiers more easy upon the Public-houses; and further, that they deliver the following written Message, *viz.* 1757. *February* 9.

May it please your HONOUR,

YOU were pleased, by your Message of the Second of *September* last, to inform the then Assembly, that it was your Opinion that the late Inhabitants of *Nova Scotia*, now in this Province, should not be treated as Prisoners of War, and recommended it to the House to make Provision for them accordingly. In Pursuance of this Message, the Assembly passed a Bill, providing for them in the best Manner their Circumstances would admit of, which has received your Approbation, and is now enacted into a Law: Yet your Honour was Yesterday pleased to send down to us a Petition, directed to your Honour, by some of the said Inhabitants of *Nova Scotia*, in Behalf of themselves and others, requesting they may be sent to, or permitted to join, the *French* Nation; but without intimating what it is you expect from us, or how far you would recommend it to us, to interfere in the Matter. We therefore having made the Provision we conceive necessary for the Relief of those People, return the Petition; but should your Honour think fit to inform us what it is you would recommend to be further done by us thereon, we will take it into our serious Consideration. A Message to the Governor from the Assembly.

February 9, 1757. *Signed by Order of the House,*
ISAAC NORRIS, *Speaker.*"

The House resumed the Consideration of the Militia Bill; and, after some Time spent in Consideration thereof, together with two different Clauses proposed by two of the Members as Alterations to the said Bill, the same was recommitted to the Committee who brought it in, to be altered and amended, agreeable to the Sentiments of the House thereupon.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait upon the Governor with the two Messages of Yesterday, and the Bill for rendering the Burden of Quartering Soldi ers more easyon the Public-houses, reported, that they had delivered the same, according to Order. *February* 10.

In order to give the Committee on the Militia Bill sufficient Time to amend the same,

The House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Bill to regulate the Hire of Carriages for his Majesty's Service within this Province, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading. *February* 11.

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait upon the Governor, and acquaint him, that the House desire to know if he has come to any Result upon the Supply Bill, and the other Bills now before him.

The Committee to whom the Militia Bill was re-committed, reported the same to the House, with the Alterations they had made therein; and the same was read, with the Alterations of the Committee; and, after some Time spent therein, it was, upon the Question being put,

Resolved, That there be four Meetings of the several Companies of Militia, at the Places appointed by their respective Captains, in one Year, besides a general Muster.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he had the several Bills sent him by the House under his Consideration; but as the Supply Bill was of great Importance, and had been long depending in the House, it required more Time to consider it than had yet been allowed him; that he would however give all of them the utmost Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Bill for forming and regulating the Militia within this Province; and, after some Time spent therein, the same was referred to farther Consideration. *February* 12.

The Governor, by Mr. Secretary, sent down to the House the Bill for the further Continuance of an Act of General Assembly of this Province, entituled, "*An Act for the "more easy Recovery of Legacies within this Province*;" with a Message, that he was ready to pass the same into a Law, whenever the House should present it to him for that Purpose.

The Governor likewise sent down the Supply Bill, with the following Message in Writing, which was read, *viz.*

GENTLEMEN,

'NO one can be more sensible than I am, of the Necessity of raising immediate Supplies for his Majesty's Service, and the Defence and Preservation of this Colony, at a Time when we may reasonably suppose the Enemy are meditating new Schemes against it. I assure you no Man can be more desirous of faithfully discharging his A Message from the Governor to the Assembly.

'Duty

1757. *February* 12.

‘ Duty to his Majeſty, or more ſincerely diſpoſed to promote the Good and Happineſs ‘ of the People of this Province, and to afford them the Protection they ſtand ſo much ‘ in Need of. It is therefore Matter of real Concern to me, to have Occaſion to differ ‘ in Opinion with you on the ſeveral Bills preſented to me for raiſing Money to anſwer ‘ the preſent Exigencies of the Province. I have conſidered the Bill, entituled, “*A Sup-* ‘ *plement to the Act, entituled, An Act for granting the Sum of* Sixty Thouſand Pounds ‘ *to the King's Uſe, and for ſtriking* Fifty-five Thouſand Pounds *thereof in Bills of Credit,* ‘ *and to provide a Fund for ſinking the ſame; and for granting to his Majeſty the additional* ‘ *Sum of* One Hundred Thouſand Pounds, with the ſtricteſt Care and Attention; and, ‘ from the beſt Judgment I can form of it, I conceive I cannot give my Aſſent to it, con- ‘ ſiſtent with the Obligations I am under to the Proprietaries, or the Regard I have for ‘ the true Intereſt of the People committed to my Charge, for the following Reaſons:

‘ *Firſt*, It is provided by the Bill that *Forty-five Thouſand Pounds*, Part of the *One* ‘ *Hundred Thouſand Pounds*, ſhall be immediately ſtruck in new Bills of Credit, to be ſunk ‘ in four Years, by a Tax on Eſtates, real and perſonal. Nothing is of more Importance ‘ to a Country, than the preſerving the Credit of their Money, which muſt evidently ‘ riſe or fall in its Value, like every other Commodity, in Proportion to its Quantity. ‘ When this Province was in its moſt flouriſhing State, and its Commerce the moſt ex- ‘ tenſive, the Sum of *Eighty Thouſand Pounds*, in Bills of Credit, was found ſufficient to ‘ anſwer all the Purpoſes of Trade. By Laws lately paſſed *Eighty-five Thouſand Pounds* ‘ hath already been ſtruck, and added to the former Sum; and although, from the great ‘ Plenty of Government Bills, and other Contingencies, this Addition does not appear to ‘ have greatly affected the Credit of the Money; yet it is as evident, that the Exchange ‘ muſt have been lower, if new Emiſſions had not been made, as that the Striking of more ‘ muſt inevitably raiſe the Price of Exchange, and conſequently depreciate the Currency ‘ of the Province. How injurious this muſt prove to Trade in general, and how ‘ ruinous to the Eſtates of Widows and Orphans, and to the Intereſt of great Numbers ‘ of Individuals, eſpecially if Peace ſhould be reſtored, is obvious to the Underſtanding ‘ of every Man. But theſe are not the only Miſchiefs. It is not improbable that ſuch ‘ large Emiſſions of Paper Money may induce the Parliament, in the End, to deprive us ‘ of the Power of iſſuing Bills of Credit at all. To guard therefore againſt theſe Evils, ‘ other Ways and Means ſhould be fallen upon to raiſe Money on this Occaſion; or if ‘ there ſhould be an abſolute Neceſſity of ſtriking any Quantity for the immediate ‘ Service of the Public, Proviſion ſhould be made by Law to ſink the ſame in a leſs Term ‘ than four Years.

‘ *Second*, Every Law ought to be explicit and certain, that thoſe who are appointed ‘ to carry it into Execution may know how to conduct themſelves, and adminiſter equal ‘ and impartial Juſtice to every one under it. But it is apparent, that the Act for granting ‘ *Sixty Thouſand Pounds* to the King's Uſe, *&c.* to which the Bill now under my Con- ‘ ſideration is a Supplement, is indeterminate and uncertain, in directing a Tax to be ‘ laid yearly on the clear Value of Eſtates, without aſcertaining whether ſuch Tax ſhall ‘ be laid on the yearly Value or Income, or on the Value of the whole Capital. From this ‘ Ambiguity in the Act, great Injuſtice may be done to many of the Inhabitants, ſome ‘ of whom may be obliged to pay a Tax laid on the capital Value of their Eſtates, while ‘ others pay no more than the Tax on the annual Income, according to the different Con- ‘ ſtructions put on the Law by the ſeveral Officers concerned in raiſing the Tax. The ‘ Act appears to me to be defective alſo, in not impowering the reſpective Officers, whoſe ‘ Duty it is to return Liſts of the Nature and Value of each Perſon's Eſtate, to enquire, ‘ either by Oath, or ſome other effectual Means, into the true and real Value of ſuch ‘ Eſtates. It is impoſſible that ſuch Officer can be acquainted with the particular Cir- ‘ cumſtances of every taxable Perſon within his Diſtrict, but he is under the Neceſſity ‘ of applying to the Parties themſelves for Information. The ſtrong Influence Self- ‘ Intereſt is known to have on Mankind in general, may occaſion many to repreſent their ‘ Eſtates to be much leſs than they really are, by which Means the Burden of the Tax ‘ will be laid very unequally on the Inhabitants under that Law.

‘ *Third*, The Sum propoſed to be granted to his Majeſty by the Bill is to be raiſed by ‘ a Tax on Lands and perſonal Eſtates in the Term of four Years; which is contrary to ‘ the Proprietary Inſtructions, as well as contrary to the Practice, Wiſdom and Policy of ‘ our Mother Country; where it was never known, in Times of the greateſt Extremity, ‘ that Taxes were laid on Lands for a longer Term than one Year. It has been aſſerted, ‘ that it is impoſſible to raiſe that Sum within this Province, in the Space of one Year, ‘ conſiſtent with Proprietary Inſtructions; but as we have had no Experience of ſuch a ‘ Law, I am at a Loſs to know how this Diſcovery has been made. On the contrary, ‘ it appears probable to me, that the Sum may be raiſed in that Time, without laying ‘ any great Hardſhips on the People; and if a Tax on Eſtates, real and perſonal, after ‘ taking proper Meaſures to come at their true yearly Value, be found inſufficient, the

Deficiency

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'Deficiency might be supplied, by following the Example of our Neighbours, in taxing 'Luxury, and laying Duties on such Things as may do the least Injury to Trade.

'*Fourth*, I cannot conceive it just or reasonable, at this Time, to tax unimproved 'Lands, which, instead of rising in their Value, and in that View being considered as 'yielding an annual Profit, every one, who is acquainted with the present Circumstances 'of the Province, must know, have daily declined greatly in their Value, ever since the 'first Incursions of the Enemy on our Frontiers, and are not in Fact worth so much now 'as they were some Years ago.

'*Fifth*, The Act, to which this Bill is a Supplement, as to the Mode of levying the 'Tax, and the Duty and Powers of the Officers therein concerned, refers to the Act for 'raising County Levies, which I conceive to be unparliamentary; and such Powers and 'Duties, to avoid Confusion and Mistakes, ought to be contained in the Body of the Act 'itself, independent of any other.

'*Sixth*, The Trustees of the Loan-Office, into whose Hands the Sum of *One Hundred 'Thousand Pounds* is to be paid, are not directed by the Bill to give any additional Se- 'curity for the true and faithful Discharge of the new Trust to be reposed in them, 'which, in Justice to the Public, they ought to do.

'*Seventh*, The Act for granting *Sixty Thousand Pounds* provides, that the Money shall 'be disposed of by the Provincial Commissioners, with the Approbation of the Governor; 'yet the Commissioners alone have a Power to draw Orders on the Trustees, without 'prescribing any Means whereby it may appear that the Governor's Consent has been 'had and obtained, either by his countersigning such Orders, or otherwise.

'*Eighth*, The Bill, in many other Parts of it, is contrary to the Instructions given 'me by the Proprietaries, as you may perceive on comparing them together. These In- 'structions, I have repeatedly told you, I cannot dispense with; I must therefore exhort 'you not to spend any more Time in framing such Bills as you must be sensible I can- 'not give my Assent to; but to proceed, and consider of such other Ways and Means to 'supply the public Necessities, as may be free from these and the other Objections 'I have so often mentioned to you.

February 11, 1757. *WILLIAM DENNY*."

Ordered, That the Bill for the further Continuance of the Act for the more easy Recovery of Legacies be engrossed.

The Governor, by the Secretary, sent down the Bill for preventing the Exportation of Provisions, naval or warlike Stores, to the *French*, &c. with sundry proposed Amendments, which were read, and considered, and referred to farther Consideration.

The Governor's Message, sent down with the Supply Bill, was again read, and considered; and, after some Time spent therein,

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Franklin*, Mr. *Masters*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of an Answer to the same.

Then the House adjourned to next *Monday*, at Five o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *February* 14. *Post Meridiem*

Upon Motion made,

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Masters*, Mr. *Gibbons* and Mr. *Yorke* be a Committee to draw up the Heads of the several Grievances necessary to be represented Home to *England* for Redress, and report the same to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House met, and adjourned to Three o'Clock, *P. M.* *February* 15.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, made a Report thereon in Writing; which was read, and considered; and, after some Time spent therein, was referred to farther Consideration. Adjournment *Post Meridiem*

The Governor's proposed Amendments to the Bill for preventing the Exportation of Provisions, naval and warlike Stores, to the *French*, &c. were again read, and considered; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Governor's proposed Amendments to the Bill for preventing the Exportation of Provisions, naval or warlike Stores, to the *French*, &c. and, after some Time spent therein, some of them were agreed to by the House, and in others the House adhered to the Bill. *February* 16.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of a Message to the Governor concerning the said Amendments.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

A Petition from divers Inhabitants of the County of *Chester*; also a Petition from *David Davis*; a Petition from *John Best*, and a Petition from *Andrew Parke*, all of the said *Post Meridiem*

1757. County, complaining of divers arbitrary and oppreſſive Proceedings of *William Moore*, Eſq; Juſtice of Peace, were preſented to the Houſe and read, and *Ordered to lie on the Table.*

February 16. The Report of the Committee on the Governor's Meſſage, containing his Reaſons for refuſing the laſt Supply Bill, was again read, and conſidered; and, after ſome Time ſpent therein, was referred to farther Conſideration.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 17. The Committee appointed to prepare a Draught of a Meſſage to the Governor, concerning his propoſed Amendments to the Bill for preventing the Exportation of Proviſions, naval or warlike Stores, to the *French*, reported the ſame to the Houſe; and it was read, agreed to, and ordered to be tranſcribed, that it may be ſent up to the Governor.

The Houſe reſumed the Conſideration of the Report of the Committee on the Governor's Meſſage, concerning his Refuſal of the laſt Supply Bill; and, after ſome Time ſpent therein, the ſame was, with ſome Alterations, agreed to by the Houſe, and is as follows, *viz.*

Report of the Committee on the Governor's Meſſage refuſing his Aſſent to the 100,000 £ Bill.

IN Obedience to the Order of the Houſe, we have conſidered his Honour's Meſſage of Yeſterday, refuſing the Bill for granting *One Hundred Thouſand Pounds* to his Majeſty's Service; and as it appears to us, that Reaſoning with the Governor can be of no poſſible Uſe, ſince, though the Houſe ſhould convince his Judgment, they cannot change his Inſtructions, and by thoſe he is determined invariably to adhere; we have choſen to throw our Remarks into the Form of a Report to the Houſe, rather than that of a Meſſage to his Honour. Not that we have any Thing to offer which the Houſe is not already fully apprized of; but ſince the Meſſage is probably intended to be read where the Motives on which the Houſe have acted may not ſo well be known, it ſeems convenient they ſhould at leaſt be found on our Minutes, that all may judge of them, who are any way concerned in the Conſequences.

We would therefore obſerve in general, that the Governor having before refuſed two Bills, one for granting *Sixty Thouſand Pounds*, the other for granting *One Hundred Thouſand Pounds* to the King's Uſe, for various Reaſons unſatisfactory to the Aſſembly, the Houſe, ſincerely deſirous to make an effectual Grant, choſe to form the Bill in Queſtion on the Plan of the *Sixty Thouſand Pound* Act, paſſed by the late Governor, which, after a ſolemn Hearing before the Board of Trade in *February* laſt, had received the Royal Aſſent. By this Means they hoped to avoid all Objections and Difficulties, eſpecially as the Proprietaries were not by the Bill to be taxed. The Bill is a Supplement to the laſt mentioned *Sixty Thouſand Pound* Act, and in raiſing and diſpoſing of the *Hundred Thouſand Pounds* granted, the ſame Modes are to be purſued as by that Act are directed. But unfortunately the Governor, we find, is diſſatisfied with that Act alſo, and moſt of his Objections are levelled againſt it.

As to the Governor's firſt Reaſon, *viz.* The Danger of depreciating our Currency, if *Forty-five Thouſand Pounds* ſhould be ſtruck in Addition to it, to be ſunk in four Years, we may obſerve, that the Governor is allowed by the twelfth Article of his Inſtructions to re-emit the *Eighty Thouſand Pounds*, now current among us, with the Addition of *Forty Thouſand Pounds* more, for ſixteen Years, without any Proviſion againſt the Injuries the Eſtates of the Widows and Orphans might ſuſtain thereby, or any great Solicitude for the Riſe of Exchange upon Bills, provided the Proprietaries Quitrents are ſecured, by being made payable according to the Exchange between the Cities of *Philadelphia* and *London*, and that they have the Diſpoſal of the Intereſt Money, as directed by this and the eleventh Inſtruction, which muſt be ſtrictly complied with; on theſe Terms then, it ſeems, there is no Danger of depreciating the Money by an Addition of *Forty Thouſand Pounds*, though no Part of that Sum, or the *Eighty Thouſand Pounds*, were to be ſunk in many Years to come. We would further obſerve, that in the Times mentioned by the Governor, when we had but *Eighty Thouſand Pounds* current in Bills of Credit, there was current in the Province at leaſt *Four Hundred Thouſand Pounds* of Gold and Silver, moſt of which, with what has been yearly imported, is ſince drawn out of the Province for Payment of the Army at *New-York* and *Halifax*, and for Payment of our Debts to the Merchants in *England*; ſo that a Piece of Gold is now rarely received in Payment. In the mean Time, the Produce of the Province, and its People, ſince that *Eighty Thouſand Pounds* was firſt made current, are very greatly increaſed, and conſequently the Demand for a Medium of Exchange increaſed. The late Emiſſions have not in the leaſt depreciated our Money, for Bills were ſometimes higher when we had only *Eighty Thouſand Pounds* current, than they have been at any Time ſince the new Emiſſions. And if thoſe Emiſſions have, as the Governor ſuppoſes, prevented the Fall of Exchange, they have ſo far been of Advantage to his Majeſty's Service, as the Government Bills have thereby fetched a better Price. In the laſt War, we remember, the Crown loſt vaſt Sums by the Fall of Exchange in *America*, occaſioned by a Scarcity of Money, joined with a Plenty of Bills; and *ſome* who bought them up, when they

1757. February 17.

they had fallen from 165£ to 125£ Currency for *One Hundred Pounds Sterling*, may likewise *remember*, that they thereby made proportionable Profits. They may possibly desire now to have a like Opportunity. The Money pretended to be given to the Province, but unjustly withheld, is perhaps designed, with the late collected Quitrents, to purchase Bills when they shall be sold at the expected low Rate a Scarcity of Money may reduce them to; but we think his Majesty's Service is to be preferred to the private Advantage of the Proprietary, and a few of his Friends that trade in Exchanges. The House, however, would as carefully as possible guard against any Depreciation of the Currency. They therefore proposed to strike only *Forty-five Thousand Pounds* of the *Hundred Thousand Pounds* granted, and that to be sunk in four Years, one Fourth Part in each Year. Nor would they have chosen to strike any Bills at all, if Taxes of any Kind could possibly produce Money soon enough to answer the present Emergencies of the Government. If a Depreciation should happen, they are sensible they must suffer with others, and some of them more than many others: But when they considered, that within the present Year the following Sums are to be sunk and destroyed, *viz.*

Of the 80,000£ one sixth Part, or	£ 13,333	6	8
Of the 55,000£ one fourth Part, or	13,750	0	0
Of the 30,000£ one tenth Part, or	3,000	0	0
And if this Bill for 45,000£ had passed, one fourth Part of that likewise,	11,250	0	0
In all	£ 41,333	6	8

they could not conceive there was the least Danger of a Depreciation, especially as more Soldiers were daily raising and arriving, and ten new Regiments are expected from *England*, which must necessarily occasion a still greater Plenty of Bills of Exchange, to be sold on Behalf of the Government. If the War should continue, they judged therefore that the Exchange could not rise; and though Peace should be suddenly restored, yet the necessary Sinking of all our *Eighty Thousand Pounds* Loan-Money, all the *Fifty-five Thousand Pounds*, great Part of the *Thirty Thousand Pounds*, and all the proposed *Forty-five Thousand Pounds*, in the Terms of four, and at fartheſt six Years, would certainly prevent a Depreciation; therefore, in either Case, the Adding *Forty-five Thousand Pounds* only to our present Currency could not injure the Estates of Widows, Orphans, or any others. We are indeed surprised to find it so much as suggested, that striking a Sum for the Defence of the Province, and his Majesty's Service, *to be sunk in* four *Years*, may subject us to the Displeasure of Parliament; when it is so well known, that the Act of Parliament, made expressly to restrain the four *New-England* Colonies, in the Affair of Paper Money, allows even those Colonies to strike any Sum they may find necessary for that Purpose, if they provide Funds to sink it in *five* Years: And the Lords of Trade gave it as one Reason for allowing our late Act to strike *Fifty-five Thousand Pounds*, "that we had provided to sink "it in *so short* a Term as *four* Years." This proposed stricter Restraint, in a Time of such imminent Danger, appears to us, therefore, not only to be unreasonable in itself, but to be founded on no Law, Opinion, or Instruction whatever from our Mother Country.

On the Governor's second Reason, *to wit*, The Uncertainty of the Act to which this Bill is a Supplement, in the Mode directed for laying the Tax, and its Defect, in not obliging People to give an Account of their Estates upon Oath, *&c.* we shall only remark, that the Mode directed by that Act, is the same that has ever been used in this Province, and is what the Commissioners and Assessors are accustomed to, and well understand. The Injustice supposed, has not taken Place in the Execution of it; no one has complained of, or so much as apprehends such Injustice. The Assessors are upon Oath to tax all equally and justly; which they could not do, if they laid, as the Governor supposes they may, the *Six-pence per Pound* on the capital Value of some Estates, and on the annual Income only of others. Defects there may possibly be in this Bill, and even to us there appears a very considerable one, *to wit*, that the Proprietary Estate is not taxed; but this we cannot amend if we would; others, when found, a subsequent Act may remedy. A perfectly equal Tax never yet was, nor perhaps ever will be laid in any Country by any Law: But in no Country, that we know of, are People put to their Oaths to make them confess and declare the *full* and *true* Value of their Estates. It is inconsistent with the Laws of the *English* Constitution, might be ruinous to some who at present live in good Credit, impracticable to others who do not keep clear Accounts, and inconvenient to all. The Officers are therefore to make the best Returns that they can, by Enquiry or otherwise, obtain, and the Assessors the best Judgment they can on those Returns. By this Bill the People may *possibly* be taxed unequally, with regard to their Estates; but by the Excise Act they must *certainly* be so; yet to the Excise Act the Governor has given his Assent, without the least Objection on Account of such Inequality, and even recommends further Excises in the Message under Consideration.

The Governor's third Objection is, That a Tax for four Years on Lands or personal Estates, "is *contrary* to the Proprietary Instructions," which say, that he SHALL NOT give

1757. *February* 17. give his Aſſent to any Act laying ſuch a Tax for more than one Year. It is true the Inſtructions ſay that and more; they ſay the Governor SHALL NOT paſs any Act to tax the Proprietary Quitrents, nor their located unimproved Lands, nor the Fines or Purchaſe Monies they have at Intereſt, which together make the Bulk of their Eſtate; nor ſhall he paſs an Act to tax the located unimproved Lands of any other Perſon; nor to tax the *Value* of any other Eſtate, but the *Rent* or *Intereſt* of the Value only, and that at the low Rate of Three *per Centum per Annum*; nor on that Intereſt of Three *per Cent.* more than *Four Shillings* in the *Pound*. So that whatever the Neceſſities and Diſtreſs of the Province may be to raiſe Money for its Defence, their vaſt Eſtate in Quitrents, Money at Intereſt, and located unimproved Lands, are to be exempted, and ſhall not pay a Penny; and not only ſo, but the People themſelves ſhall be hampered with new Reſtraints, and forbid to grant his Majeſty what they find the preſent State of his Service, and the imminent Danger to the Colony, abſolutely call for. If we may not lay a Tax for more than one Year, we can grant no more than one Year's Tax will produce. If this be indeed the Practice, Wiſdom and Policy of our Mother Country, whence aroſe its Debt of *Eighty Millions?* A Debt greater than all their Taxes can pay in many Years, though, being rich, while we are poor, and juſt beginning to live, they have much more to tax than we have. *Four Shillings* in the *Pound*, on Three *per Cent.* will produce only the Hundred and Sixty-ſixth Penny of the full Value of any Eſtate. Suppoſe *Four Shillings* in the *Pound* on *Five per Cent.* which is the Hundredth Penny, ſhould be found abſolutely neceſſary to ſecure the Province from his Majeſty's Enemies; or ſuppoſe even the Fiftieth Penny neceſſary; muſt the Country be deſtroyed, and the Whole be loſt, rather than theſe Inſtructions be departed from? So it ſeems. For "the Governor's "Honour and Intereſt may ſuffer if he breaks them." Thus, by the Proprietaries ſhackling their Governor with Inſtructions and penal Bonds, and not allowing him to uſe his own Judgment, or the Advice of his Aſſembly, on the moſt important Occaſions, the People may be deprived of one of the moſt valuable Ends of Government, Protection, and the King's Province expoſed to Deſtruction.

The Governor, by his Eſtimate laid before the Houſe, required *One Hundred and Twenty-ſeven Thouſand Pounds*, as neceſſary for the Service of the current Year. Let us endeavour to compute, by the beſt Lights we have, how much of this a Tax, laid conformable to the Proprietary Inſtructions, can poſſibly produce. All their Eſtate, except a Trifle, and all located unimproved Lands, to whomſoever belonging, are to be exempted. There remains then to be taxed, only the improved Lands, Houſes and perſonal Eſtates of the People. Now it is well known, from the Tax-Books, that there are not in the Province more than 20,000 Houſes, including thoſe of the Towns, with thoſe on Plantations. If theſe, with the *improved* Land annexed to them, and the perſonal Eſtate of thoſe that inhabit them, are worth, one with another, *Two Hundred and Fifty Pounds* each, it may, we think, be reckoned their full Value; then multiply 20,000, the Number of Houſes, by 250 £ the Value of each Eſtate, and the Produce is 5,000,000 £ for the full Value of all our Eſtates, real and perſonal, the unimproved Lands excepted. Now Three *per Cent.* on Five Millions, is but *One Hundred and Fifty Thouſand Pounds*; and *Four Shillings* in the *Pound* on *One Hundred and Fifty Thouſand Pounds*, being but a fifth Part, is no more than *Thirty Thouſand Pounds:* So that we ought to have near Seventeen Millions, to produce, by ſuch a Tax, *One Hundred Thouſand Pounds*. If it be aſked, how then we propoſed to raiſe *One Hundred Thouſand Pounds* in one Year by the Bill the Governor lately refuſed, it may be anſwered, That the Proprietary Eſtate was by that Bill to be taxed; and all located unimproved Lands were to be taxed; Polls were to be taxed; and the Produce of all Offices, Trades and Employments were to be taxed, according to the uſual Method of aſſeſſing them under the County Rate and Levy Act; and yet, with all theſe Helps, we were ſure the Country muſt have been greatly diſtreſſed by that Tax, and that it would hardly have been poſſible to raiſe it within the Year. How then ſhall we make up the Deficiency, when the Tax we are allowed to lay can produce no more than *Thirty Thouſand Pounds?* The Governor is pleaſed to ſay, "by following "the Example of our Neighbours in taxing Luxury, and laying Duties on ſuch Things "as may do the leaſt Injury to Trade." Some of our Neighbours have indeed tried this Method; and what does it produce? The whole Produce of the Tax on the Luxuries of *New-York*, including the Duties on Wine, Rum, Brandy, and other diſtilled Liquors, Negroes, Cocoa and Dry Goods, from *September* 1, 1755, to *September* 1, 1756, amounts to no more, as appears by their Votes now before us, than *Three Thouſand Two Hundred and Four Pounds Nineteen Shillings and Two-pence*; though that is an older Colony, and inhabited by People generally richer than ours, and almoſt all the Gold and Silver of the neighbouring Colonies has, within that Term, centered there, to ſupport the Troops. Our chief Luxury, if it may be called a Luxury, is Rum, and that, with Wine, *&c.* is already taxed, and the Tax mortgaged for ten Years to come. This Colony is more remarkable for Induſtry and Frugality than for Luxury; and 'tis doubted whether, if all our Luxuries were aboliſhed, and the full Price of them paid to the Treaſury, it would produce any

conſiderable

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considerable Sum; much less must be produced by any Excise or Tax on them that they can bear. We may indeed create some new Offices and Officers, and embarrass Trade, or drive it from our Ports, but little Advantage can we expect to arise from such Taxes to the Public.

On the Governor's fourth Reason, we shall only remark, that unimproved Lands near the Frontiers may indeed be diminished in Value, yet those within the Settlements must rise as the Inhabitants retire inward from the Enemy. The high Price those Lands are, and have been, kept at, has forced out of our Country ten times more of our People than have been driven away by the Enemy, and thereby greatly weakened the Colony. The Monopolizing Lands, therefore, to lie uncultivated for a Market, is a public Injury; and besides that such Lands can well afford it, they ought to be well taxed to oblige the Owners to sell out, for the Public Utility. But the Tax laid on them by the Bill is vastly too low, the Valuation being confined between *Five* and *Fifteen Pounds per* Hundred Acres, when some of those Lands, being the first and choicest Pickings of every *Indian* Purchase, will actually now sell for near *Three Hundred Pounds per* Hundred, the War notwithstanding. And though those near the Frontier may be diminished in Value, they are however still of considerable Value, and whatever that is, they should be taxed for it. The Assessors will duly consider such Diminution of Value wherever they find it, and all other Land of the same Kind that holds its Price, should certainly not be exempted for the diminished Value of a Part only. 'Tis kind, however, in the Proprietaries to favour their Wholesale Chapmen, and encourage the Trade, by endeavouring to screen, with their own, the Purchases of their Favourites.

The Governor's fifth Reason against passing the Bill is, that the Act, to which it is a Supplement, refers to the Act for raising County Rates and Levies, and he conceives it unparliamentary for one Act to refer to another; but all the necessary Powers and Duties should be contained in the Body of the Act, independent of any other.——Were it unparliamentary, as the Governor says, yet the Act he objects to has received the Royal Approbation, and is executed without the Inconvenience supposed, having been long in Use, and well understood by the Officers. It is but a few Weeks since the Governor himself was pleased to pass an Act for extending hither great Part of an Act of Parliament, by referring to the Clauses only, without requiring them to be inserted in the Bill: And we conceive it far from being unparliamentary, as there are many Instances of one Act of Parliament referring to another.——But there being no Instruction in that Case, the Governor had then no Occasion for the Use of this Objection.

On the sixth Reason, we must observe, that to make it appear something stronger, it is said, the *whole* Sum of *One Hundred Thousand Pounds* is to be paid into the Hands of the Trustees; whereas the Bill directs only *Forty-five Thousand Pounds* of it to come into their Hands, and that either before it is properly Money, being but printed Paper, unsigned, or when it ceases to be Money, and is only to be burnt and destroyed.—And as it would probably be drawn out of their Hands almost as fast as it could be signed, no farther Security than they are under for the *Eighty Thousand Pounds*, by the *Eighty Thousand Pound* Act, was thought necessary. *Fifty-five Thousand Pounds* of the *One Hundred Thousand Pounds* never goes into the Trustees Hands at all, but is to be paid to the Treasurer as it arises from the Taxes, and by him issued in Discharge of the Commissioners Orders for the King's Service:—— The Treasurer therefore is to give an additional Security by the Bill. When the *Forty-five Thousand Pounds* comes to be sunk, the Trustees can never have much of it in their Hands at a time, as a fourth Part of it is to be yearly sunk and destroyed. And the Securities they are already under were deemed fully sufficient, especially as great Part of the Money now under their Direction will be sunk before that comes to their Hands.

The Governor's seventh Objection is likewise against the Act that has been confirmed at Home; we shall therefore only mention what we are informed was the Practice on that Act. The former Governor did at first counter-sign some Orders, but found the Practice too troublesome to be continued. The Mode has since been, for the Governor and Commissioners to agree on the Service for which Money is necessary; then the most considerable Contracts are laid before him for his Approbation, and those Agreements and Approbations are entered on the Minutes. The Commissioners afterwards only settle Accounts, which is troublesome enough, and give Orders for the Payment, in Pursuance of such previous Agreements and Contracts. They would be glad if the Governor could be present at every Meeting of the Board, and assist in transacting the Business; but it would take up too much of his Time, and is therefore impracticable. And it would be useless to give him the Trouble of signing Orders, if he cannot spare Time to examine the Accounts on which the Orders are founded; especially as two of his Council have always been two of the Commissioners; and no Governor has complained that they have drawn Orders for improper Services.

What are the many other Parts of the Bill which are contrary to the Instructions, his Honour has not been pleased to specify, nor is it material, since, if every one of those Instructions is not observed, the Bill cannot be passed. In fine, as this necessary Bill is

1757. *February* 17. exactly conformable to the Act ſo lately allowed by the Crown, and which is now in Practice, without the Inconveniencies objected; the Want of Compliance with thoſe Proprietary Inſtructions appears to your Committee the true and ſole Reaſon of its not paſſing. The other Reaſons, as we conceive, are only introduced to ſave That the Shame of ſtanding alone, and on Examination appear to be not ſo much *Reaſons* as *Excuſes*. And we cannot but regret the Situation of a Governor who finds himſelf under the Neceſſity of making them, and pity the Counſellors who muſt approve of them. But much more are we the unhappy People of *Pennſylvania* to be pitied, who muſt periſh by the Hand of the Enemy, or comply with Inſtructions, or rather Laws, made for us by ill-informed Proprietaries, at a Thouſand Leagues Diſtance; Laws unſuitable to our Circumſtances, impracticable in their Nature, or, if practicable, ineffectual.

Submitted by the Committee to the Correction of the Houſe."

The Houſe being informed that the Right Honourable the Earl of LOUDOUN was ſoon expected in this City,

Ordered, That Mr. *Leech*, Mr. *Hughes*, Mr. *Galloway* and Mr. *Maſters* be a Committee to prepare a Draught of a congratulatory Addreſs to his Lordſhip, to be preſented him upon his Arrival.

Adjournment *February* 18. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

A Petition from the Juſtices, Grand Jury, Commiſſioners and Aſſeſſors of the County of *York*, was preſented to the Houſe and read, ſetting forth, that near two Townſhips, and many other ſmall Tracts of the beſt Land in the ſaid County, are held under the Proprietary of the Province of *Maryland*, and therefore the Inhabitants of theſe Lands are not liable to pay Taxes, or other public Dues for the Support of this Government, neither do they (as they inform the Petitioners) pay to the Province of *Maryland*, under whoſe Juriſdiction they are, or ought to be, by the Royal Order; that the Situation of theſe Lands being chiefly from five to fifteen or twenty Miles and upwards North of the temporary Line, and conſequently ſeparated from *Maryland* by Lands held under our Proprietaries, the Petitioners apprehend to be the Reaſon why the Inhabitants of the ſaid Lands are not called upon for public Dues by the Officers of *Maryland*; that as many of the Inhabitants of the ſaid Lands as have convenient Situations, and are in ſuitable Circumſtances, do diſtil great Quantities of Spirits, and keep Public-houſes, and neither have Licence from, nor pay Exciſe to, either of the Provinces; that ſome of them entertain the Servants and Hirelings of their Neighbours on Sabbath-Days, and harbour and conceal many of ſuch of the Inhabitants of this Province as get in Debt, or commit any Crimes cognizable before the Court in ſaid County, to the manifeſt Injury of the Public, and of Numbers of the Inhabitants of this Province; that nevertheleſs, the Perſons reſiding on ſaid Lands ſue for, and recover, their Debts amongſt the Petitioners, and enjoy all the other Privileges of Government with thoſe who contribute towards the Support thereof; the Petitioners therefore pray, that this Houſe will conſider the Premiſes, and grant ſuch Remedy as ſhall ſeem expedient.

Ordered to lie on the Table.

The Meſſage to the Governor being tranſcribed, was again read, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. WE have conſidered your propoſed Amendments to the Bill, entituled, *An Act to prevent the Exportation of Proviſions, naval or warlike Stores, from this Province to any of the Dominions of the* French *King, or to any Port or Place in* America, *not in the Poſſeſſion of his* Britannic *Majeſty*; all of which we have agreed to, ſave thoſe which reſtrain the Merchants of this Province from trading to the neutral Ports, or Places not in the Poſſeſſion of his Majeſty's Enemies in *Europe*. This we were induced to do, not from a Conviction that they were neceſſary, or founded on the former Uſage in our Laws, but from an Inclination to convince your Honour we ſincerely deſire the Paſſage of a Bill ſo neceſſary, under our preſent Circumſtances, for our own Preſervation, and to diſtreſs his Majeſty's Enemies. But as the Amendments propoſed by your Honour for laying an Embargo generally on Proviſions intended to be exported to any of the neutral Ports in *Europe*, as well as *America*, if acceded to, will effectually prevent the Commerce carried on with ſeveral of the neutral Ports in *Europe*, without which our Trade muſt be in a Manner deſtroyed, we cannot admit of them in the Bill.

The Inconveniency ſuch Amendments would introduce, we conclude, muſt appear to your Honour on further Conſideration. They will effectually diſable the Merchant from purchaſing or importing Wines from the *Madeiras* and *Weſtern Iſlands*. This, if no other Diſadvantage ſhould attend it, will in a great Meaſure deſtroy a Fund, upon which a conſiderable Supply, already granted to his Majeſty by the Exciſe Act, is founded, and by that Means prevent the Sinking of the Paper Bills of Credit, which have been ſtruck for that Purpoſe, and are now current. No Proviſions can be exported from hence to *Liſbon* or *Cadiz*, without which we cannot procure the Salt that is abſolutely neceſſary

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for the Use of his Majesty's Troops, and his other Subjects in this Colony. The Inconveniency that must necessarily arise from the Want of this Commodity, in the hot Season of the Year, is more easy to conceive than express. And without Salt, it will be impossible for the Merchant here to supply his Majesty's *West-India* Colonies with Beef and Pork, upon which they in a great Measure depend for Subsistence. We therefore hope the Governor will not insist on Amendments which must be attended with such Disadvantages to our Trade, and Mischief to the Community in general, as there is no Probability of its proving detrimental to his Majesty's Service, or injurious to the Public Welfare. 1757. February 18.

We conceive these Amendments were made by your Honour, in Pursuance of the Instruction from the Lords Commissioners for Trade and Plantations, lately laid before the House, and in Part recited in the Message that accompanied it. We duly weighed the Intent of that Instruction at the Time of framing the Bill, which we thought, and still think, was calculated in the fullest Manner to remedy the Mischief complained of; and that was, as appears by the Preamble of the Instruction; "The Colonies of the *French* "in *America* having, in Times of War, been frequently supplied with Provisions of "various Kinds, by Means of the Trade carried on from his Majesty's Islands and Co-"lonies to the Colonies and Settlements belonging to the *Dutch* and other Neutral "Powers." Hence it appears, that the Design of the Instruction was to prevent a Trade to these Settlements of the *Dutch*, and other Neutral Powers, from whence his Majesty's Enemies in *America* were supplied. And it is well known, that those Enemies have never been supplied with Provisions raised in the *British* Colonies from any other Neutral Ports but those in *America*. No other Inconveniency is complained of, or was ever experienced, and therefore needed not to be redressed. For this an adequate Remedy is provided by the Bill, which prohibits, under severe Penalties, the Exportation of Provisions from this Province to any Port or Place in *America*, not in the Possession of his *Britannic* Majesty. We conceive any Thing more than a Remedy for the Evil complained of ought not to be expected from us; and to prevent our Merchants from trading to Places in *Europe*, from whence it is not reasonable to expect the *French* Colonies or Settlements will be supplied, is embarrassing our Trade, and injuring our Commerce, without the least Advantage accruing from it, either to his Majesty's Service, or the Good of the Province.

We cannot omit observing the Difference between the Instruction your Honour was pleased to lay before us, in the early Part of this Session, given and signed by our most gracious Sovereign, and the one now under our Consideration. The former appears, from all its Parts, to have come from a gracious and good King, a Father of his People, and bespeaks a Consciousness of the Impossibility there is of forming a true Judgment of the particular Situation and Necessities of his Colonies, at so great a Distance from them: To whom, after pointing out the Mischiefs, he has left the Care of redressing them in the Manner most effectual and suitable to the several Circumstances of his Subjects, by Laws to be framed by the Legislature on the Spot, who he rationally concludes are the best Judges thereof. But how different is the latter! It not only points out the Evil, but the Mode of redressing it in all its Particulars, and enjoins an immediate and explicit Obedience to it. So that however impracticable the Remedy, however inconvenient to his Majesty's Service, or inconsistent with the Trade, Commerce and public Utility of the Province, one would conclude it must be complied with. But should your Honour separately, or jointly with us, adhere to it literally, what might be the unhappy Consequences, when your Honour is required thereby, to lay an Embargo "on all Vessels clearing out with Provisions, except those which shall be employed in "carrying Provisions to any other of his Majesty's *Colonies* and *Plantations*?" The Kingdoms of *Great-Britain* and *Ireland*, cannot with Propriety be comprized under the Denomination of Colonies or Plantations; and consequently the Effects of the Embargo would extend to them. And therefore, notwithstanding their last Harvest has failed, and there is at present a Prospect of great Scarcity of Provisions in those Places, yet it would not be in the Power of the People of this his Majesty's Colony to relieve or succour its Mother Country, let her Necessities and Distress be ever so great. But, indeed, there cannot be a more pregnant Instance of the Absurdity of giving particular Instructions, relative to the making of Laws, to Legislatures, which are so distant as we are from our Mother Country. And this will ever be the Case, where either Misinformation, or Want of Information, must render such particular Instructions improper to be observed, unsuitable to the real Circumstances of the Colony, and often, as in the present Case, not only inconsistent with the Trade and Commerce of the Province, but repugnant to the general Advantage and Utility of the Nation.

We have endeavoured to form the Bill in such Manner as will effectually prevent the Supplying his Majesty's Enemies with Provisions or warlike Stores from this Province, which was the *sole* Intent of the Instruction; and therefore we hope your Honour, upon further Reflection, will withdraw the Amendments which would extend the Effects of

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1757. *February* 18. the Embargo to the Neutral Ports in *Europe*, as they can only tend to deſtroy the Trade of this Port, and diſtreſs his Majeſty's Subjects, without contributing any Thing to his Majeſty's Service."

And the Meſſage being ſigned by Mr. Speaker, by Order of the Houſe,

Ordered, That Mr. *Roberdeau* and Mr. *Yorke* wait upon the Governor, and deliver the ſame, together with the Bill for prohibiting the Exportation of Proviſions, naval or warlike Stores from this Province to any of the Dominions of the *French* King, or to any Port or Place in *America*, not in the Poſſeſſion of the Subjects of his *Britannic* Majeſty: And further, that they deliver the Supply Bill to the Governor, and acquaint him, "That upon receiving his Honour's Meſſage of the Twelfth Inſtant, ſent down "with our laſt Supply Bill, the Committee to whom that Meſſage was referred have "reported fully upon all the Objections againſt that Bill, which, after mature Deliberation, the Houſe have approved, and find thoſe Objections are rather Excuſes for not "paſſing the Bill, than Reaſons againſt it: That the Bill itſelf is only a Supplement to "an Act, which, after a full Hearing before the Lords of Trade, has very lately received the Royal Aſſent; and we confined ourſelves to that Act, with as few Alterations as poſſible, apprehending the Bill would be free from all Objections under the "Royal Sanction ſo lately obtained: —— That by the Eſtimate the Governor laid before us this Seſſion, he computes the Sum of *One Hundred* and *Twenty-ſeven Thouſand Pounds* as neceſſary to be raiſed for the Defence of the Province in the enſuing "Year; and yet, upon the moſt exact Computation we have been able to make, no more than *Thirty Thouſand Pounds* could be raiſed upon the Province in one Year by his reſtricted Powers, and not one Third of his propoſed Eſtimate, by the Addition of all "the other Meaſures he has propoſed, if the Houſe were ſo inſenſible of the Duty they "owe their Conſtituents, as to take their Money-Laws from him only: —That therefore we deſire to know his final Reſult upon this Bill, which we once more ſend up "for his Concurrence; and if he ſhould notwithſtanding continue to refuſe his Aſſent "to it as it now ſtands, we muſt refer it to his Honour to pay the Forces by him raiſed, "or to diſband them, as he ſhall judge he can beſt anſwer for his Conduct to his Majeſty, whoſe Colony we apprehend to be in imminent Danger, and for the Defence "whereof we have in vain endeavoured to make the neceſſary Proviſion as far as lay in "our Power."

The Committee appointed to prepare a Draught of a congratulatory Addreſs to Lord *Loudoun*, reported the ſame to the Houſe, and it was read, agreed to, and ordered to be tranſcribed, that it may be preſented to his Lordſhip upon his Arrival.

Upon Motion made,

Reſolved, That *William Franklin* have Leave to reſign his Office of Clerk to this Houſe, that he may accompany his Father, appointed one of the Commiſſioners to negotiate our Affairs in *England*; and that another Perſon be choſen to ſerve as Clerk, during the Abſence of the ſaid *Franklin*.

A Petition from *Thomas Moore*, of the City of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that the Petitioner underſtanding that the preſent Clerk of this Houſe is about to embark for *England*; he therefore prays that he may be appointed to that Office.

And the ſaid Petition being again read, and conſidered, it was, after ſome Time ſpent therein,

Reſolved, That *Thomas Moore* be Clerk to this Houſe, for the remaining Part of the current Year.

The Addreſs to Lord *Loudoun* being tranſcribed, was again read, and is as follows, *viz.*

To his Excellency the Right Honourable JOHN *Earl of* LOUDOUN, *Commander in Chief of all His Majeſty's Forces in* North-America.

May it pleaſe your LORDSHIP,

Aſſembly's Addreſs to Lord *Loudoun*.

WITH unfeigned Sincerity permit us to congratulate your Lordſhip on your ſafe Arrival in *America*, and in particular to this Province.

We eſteem it a remarkable Inſtance of his Majeſty's Royal Care and Paternal Regard for his Subjects in *America*, that he has been pleaſed to commiſſionate a Peer of his Realm, who has given the moſt demonſtrative Proofs of his firm Attachment to his Royal Perſon and Family, and who has nothing more at Heart, than the Glory of his Sovereign's Arms, the Support of his Royal Houſe, and the common Intereſt of his Kingdoms and People, to conduct his Forces, to fight his Battles, and protect his loyal and faithful Subjects in theſe Colonies, from the inſidious Attempts of the moſt perfidious and mercileſs Enemies.

It is with Pleaſure we reflect, that your Lordſhip's approved Skill in military Affairs, known Secrecy in Council, and experienced Valour in the Field, afford us a Proſpect of Succeſs in your glorious Undertakings.

The

The noble, loyal and vigorous Part your Lordship acted during the whole Course of the last Rebellion in *North-Britain*, is a pleasing Presage to us that his Majesty's Arms in *America* may, under God, be crowned with Victories, and his Colonies restored to the happy State of Peace and Tranquillity, through your Lordship's Prudence, Activity and Conduct. 1757. *February* 18.

May the same Almighty Providence, which hath hitherto prospered your Endeavours in Behalf of your Country, watch over your noble Person, attend and protect you in the Day of Battle, and crown with Honour and Success all your Attempts for his Majesty's Service, and the Good of his People."

And the Address being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Masters*, Mr. *West* and Mr. *Yorke* be a Committee to wait upon his Excellency, Lord *Loudoun*, upon his Arrival to this City, and present the said Address.

The Bill for the further Continuance of the Act relating to Legacies, being engrossed, was read, and compared at the Table.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *February* 21.

The Gentlemen appointed to wait upon the Governor with the two Bills, and Mes- *Post Meridiem*
sages of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, they should be considered as soon as he could give the necessary Attention to them; and that he should be glad to be furnished with a Copy of the Report on his last Message.

Ordered, That the Clerk make out a Copy of the said Report, in order to be sent up to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed upon the Report of our present Grievances, made their *February* 22.
Report in Writing, which was read, and ordered to lie upon the Table, for the Perusal of the Members.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment
Post Meridiem

The House met, and adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Report of the Committee of Grievances being transcribed, and read the second *February* 23.
time, follows in these Words, *viz.*

IN Obedience to the Order of the House, we have drawn up the Heads of the most important Aggrievances that occur to us, which the People of this Province with great Difficulty labour under; the many Infractions of the Constitution, in manifest Violation of the Royal Grant, the Proprietary Charters, the Laws of this Province, and of the Laws, Usages and Customs of our Mother Country, and other Matters, which we apprehend call aloud for Redress. They are as follow: Report of the Committee of Grievances.

First, By the Royal Charter, which has ever been, ought to be, and truly is, the principal and invariable Fundamental of this Constitution, King CHARLES the Second did give and grant unto *William Penn*, his Heirs and Assigns, the Province of *Pennsylvania*; and also to him and his Heirs, and his or their Deputies or Lieutenants, free, full and absolute Power, for the good and happy Government thereof, to make and enact any Laws, *according to their best Discretion, by and with the Advice, Assent and Approbation of the Freemen of the said Country, or of their Delegates or Deputies*, for the Raising of Money, or any other End appertaining to the Public State, Peace or Safety of the said Country. By the Words of this Grant it is evident, that full Powers were granted to the Deputies and Lieutenants of *William Penn*, and his Heirs, to concur with the People in framing Laws for their Protection, and the Safety of the Province, according to their "best Discretion," independent of any Instructions or Directions they should receive from their Principals. And it is equally obvious to your Committee, that the People of this Province, and their Representatives, were interested in this Royal Grant, and, by Virtue thereof, have an original Right of Legislation inherent in them, which neither the Proprietaries, nor any other Person whatsoever, can divest them of, restrain or abridge, without manifestly violating and destroying the Letter, Spirit and Design of this Grant.

Nevertheless, we unfortunately find, that the Proprietaries of this Province, regardless of this sacred Fundamental of all our Rights and Liberties, have so abridged and restricted their late and present Governor's Discretion in Matters of Legislation, by their illegal, impracticable and unconstitutional Instructions and Prohibitions, that no Bill, for granting Aids and Supplies to our most gracious Sovereign, be it ever so reasonable, expedient and necessary, for the Defence of this his Majesty's Colony, and Safety of his People, unless it be agreeable thereto, can meet with his Approbation; by Means whereof the many considerable Sums of Money which have been offered for those Purposes by the Assemblies of this Province, ever anxious to maintain his Honour and Rights, have

1757. *February* 23. been rejected, to the great Encouragement of his Majeſty's Enemies, and the imminent Danger of the Loſs of this his Colony.

Secondly, The Repreſentatives of the People in General Aſſembly met, by Virtue of the ſaid Royal Grant, and the Charter of Privileges, granted by the ſaid *William Penn*, and a Law of this Province, have Right to, and ought to enjoy, all the Powers and Privileges of an Aſſembly, according to the Rights of the Freeborn Subjects of *England*, and as is uſual in any of the Plantations in *America*; that it is an indubitable, and now an inconteſted Right of the Commons of *England*, to grant Aids and Supplies to his Majeſty in any Manner they think moſt eaſy to themſelves and the People; and that they are the ſole Judges of the Meaſure, Manner and Time of granting and raiſing the ſame.

Nevertheleſs, the Proprietaries of this Province, in Contempt of the ſaid Royal Grant, Proprietary Charter, and Law of this Colony, deſigning to ſubvert the Fundamentals of this Conſtitution, to deprive the Aſſembly and People of their Rights and Privileges, and to aſſume an arbitrary and tyrannical Power over the Liberties and Properties of his Majeſty's Liege Subjects, have ſo reſtrained their Governors by their deſpotic Inſtructions, which are not to be varied from, and are particularly directory in the framing and paſſing of Money-Bills and Supplies to his Majeſty, as to the Mode, Meaſure and Time, that it is impoſſible for the Aſſembly, ſhould they loſe all Senſe of their moſt eſſential Rights, and comply with theſe Inſtructions, to grant ſufficient Aids for the Defence of this his Majeſty's Province from the common Enemy.

Thirdly, In Purſuance of ſundry Acts of General Aſſembly, approved of by the Crown, a natural Right, inherent in every Man, antecedent to all Laws, the Aſſemblies of this Province have had the Power of diſpoſing of the public Monies that have been raiſed for the Encouragement of Trade, and Support of Government, by the Intereſt-Money ariſing by the Loan of the Bills of Credit, and the Exciſe. No Part of theſe Monies was ever paid by the Proprietaries, or ever raiſed on their Eſtates; and therefore, they can have no Pretence of Right to a Voice in the Diſpoſition of them. They have ever been applied with prudent Frugality, for the Honour and Advantage of the Public, and the King's immediate Service, to the general Approbation of the People. The Credit of the Government has been preſerved, and the Debts of the Public punctually diſcharged. In ſhort, no Inconveniencies, but great, and many, Advantages have accrued from the Aſſembly's prudent Care and Management of theſe Funds.

Yet the Proprietaries, reſolved to deprive the Aſſemblies of the Power and Means of ſupporting an Agent in *England*, and of proſecuting their Complaints, and remonſtrancing their Aggrievances, when injured or oppreſſed, to his Majeſty and his Parliaments, and to rob them of this natural Right, which has been ſo often approved of by their gracious Sovereign, have, by their ſaid Inſtructions, prohibited their Governor from giving his Aſſent to any Laws for emitting or re-emitting any Paper Currency or Bills of Credit, or for raiſing Money by Exciſe, or any other Method, unleſs the Governor or Commander in Chief for the Time being, by Clauſes to be inſerted therein, have a Negative in the Diſpoſition of the Monies ariſing thereby, let the languiſhing Circumſtances of our Trade be ever ſo great, and a further or greater Medium become ever ſo neceſſary for its Support.

Fourthly, By the Laws and Statutes of *England*, the chief Rents, Honours and Caſtles of the Crown are taxed, and pay their Proportion to the Supplies that are granted to the King for the Defence of the Realm, and Support of Government. His Majeſty, the Nobility of the Realm, and all his *Britiſh* Subjects, do now actually contribute their Proportion towards the Defence of *America* in general, and this Province in particular; and it is in a more eſpecial Manner the Duty of the Proprietaries to pay their Proportion of a Tax for the immediate Preſervation of their own Eſtates in this Province. To exempt, therefore, any Part of their Eſtates from their reaſonable Part of this neceſſary Burden, is as unjuſt as it is illegal, and as new as arbitrary.

Yet the Proprietaries, notwithſtanding the general Danger to which the Nation and its Colonies are expoſed, and great Diſtreſs of this Province in particular, by their ſaid Inſtructions, have prohibited their Governors from paſſing Laws for the Raiſing of Supplies for its Defence, unleſs all their located, unimproved and unoccupied Lands, Quitrents, Fines, and Purchaſe-Monies on Intereſt, the much greater Part of their enormous Eſtates in this Colony, are expreſsly exempted from paying any Part of the Tax.

Fifthly, By Virtue of the ſaid Royal Charter, the Proprietaries are inveſted with a Power of "doing every Thing which unto a complete Eſtabliſhment of Juſtice, unto "Courts and Tribunals, Forms of Judicature, and Manner of Proceedings do belong." It was certainly the Import and Deſign of this Grant, that the Courts of Judicature ſhould be formed, and the Judges and Officers thereof hold their Commiſſions in a Manner not repugnant, but agreeable, to the Laws and Cuſtoms of *England*; that thereby they might remain free from the Influence of Perſons in Power, the Rights of the People

might

might be preserved, and their Properties effectually secured. That the Grantee *William Penn*, understanding the said Grant *in this Light*, did, by his original Frame of Government, covenant and grant with the People, that the Judges, and other Officers, should hold their Commissions during their good Behaviour, and no longer. 1757. *February* 23.

Notwithstanding which, the Governors of this Province have, for many Years past, granted all the Commissions to the Judges of the King's Bench, or Supreme Court of this Province, and to the Judges of the Court of Common-Pleas of the several Counties, to be held during their Will and Pleasure. By Means whereof, the said Judges being subject to the Influence and Directions of the Proprietaries and their Governors, their Favourites and Creatures, the Laws may not be duly administred or executed, but often wrested from their true Sense, to serve particular Purposes; the Foundation of Justice may be liable to be destroyed, and the Lives, Laws, Liberties, Privileges and Properties of the People thereby rendered precarious, and altogether insecure, to the great Disgrace of our Laws, and the inconceivable Injury of his Majesty's Subjects.

Your Committee further beg Leave to add, that besides these Aggrievances, there are other Hardships the People of this Province have experienced, that call for Redress. The Inlistment of Servants, without the least Satisfaction being made to the Masters, has not only prevented the Cultivation of our Lands, and diminished the Trade and Commerce of the Province, but is a Burden extremely unequal and oppressive to Individuals; and should the Practice continue, the Consequence must prove very discouraging to the further Settlement of this Colony, and prejudicial to his Majesty's future Service. Justice therefore demands that Satisfaction should be made to the Masters of such inlisted Servants, and that the Right of Masters to their Servants be confirmed and settled. But as those Servants have been inlisted into his Majesty's Service for the general Defence of *America*, and not of this Province only, but all the Colonies, and the Nation in general have, and will receive, equal Benefit from their Service, this Satisfaction should be made at the Expence of the Nation, and not of this Province only.

That the People now labour under a Burden of Taxes, almost insupportable by so young a Colony, for the Defence of its long extended Frontier, of about Two Hundred Miles, from *New-Jersey* to *Maryland*, without either of those Colonies, or the Three Lower Counties, on *Delaware*, contributing their Proportion thereto, though their Frontiers are in a great Measure covered and protected by our Forts: And should the War continue, and with it this unequal Burden, many of his Majesty's Subjects in this Province will be reduced to Want, and the Province, if not lost to the Enemy, involved in Debt, and sunk under its Load.

That notwithstanding this Weight of Taxes, the Assemblies of this Province have given to the general Service of the Nation *Five Thousand Pounds* to purchase Provisions for the Troops under General *Braddock: Two Thousand Nine Hundred Eighty-five Pounds* and *Eleven-pence* for clearing a Road by his Orders: *Ten Thousand Five Hundred* and *Fourteen Pounds Ten Shillings* and *One Penny* to General *Shirley*, for the purchasing Provisions for the *New-England* Forces; and expended the Sum of *Two Thousand Three Hundred* and *Eighty-five Pounds One Shilling* and *Two-pence Halfpenny*, in supporting the Inhabitants of *Nova Scotia*, which likewise we conceive ought to be a national Expence.

And that his Majesty's Subjects, the Merchants and Insurers in *England*, as well as the Merchants here, and elsewhere, did, during the last War, and will, during this present War, be greatly injured in their Property, Trade and Commerce, by the Enemy's Privateers on this Coast, and at our Capes, unless some Method be fallen on to prevent it.

Wherefore your Committee are of Opinion, that the Commissioners intended to be sent to *England* to solicit a Removal and Redress of the many Infractions and Violations of the Constitution, should also have it in Charge, and be instructed to represent to our most gracious Sovereign, and his Parliaments, the several unequal Burdens and Hardships before mentioned, and endeavour to procure Satisfaction to the Masters of such Servants as have been enlisted, and the Right of Masters to their Servants established and confirmed, and obtain a Re-payment of the said several Sums of Money, some Assistance towards defending our extensive Frontier, and a Vessel of War to protect the Trade and Commerce of this Province.

Submitted to the Correction of the House, by

JOSEPH FOX,
THOMAS LEECH,
JOHN HUGHES,
JOSEPH GALLOWAY,
WILLIAM MASTERS,
JOSEPH GIBBONS,
THOMAS YORKE."

February 22, 1757.

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor, and deliver the foregoing Report; and request his Honour would be pleased to furnish the House with a Copy

1757. a Copy of the Reaſons he propoſed to ſend Home, in Support of his refuſing his Aſſent to the *Hundred Thouſand Pound* Bill preſented to his Honour by this Aſſembly.

February 23. Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with a Copy of the Report of the Committee, and to deſire he would lay before us the Reaſons he propoſed to tranſmit Home in Support of his Refuſal to paſs our firſt Bill for granting *One Hundred Thouſand Pounds* to the King's Uſe, report, that his Honour was pleaſed to ſay, "That he had made a Minute concerning it on a Piece of Paper, but on looking for that Paper he could not find it; however, the Purport of it, he ſaid, was, that if the Houſe would furniſh him with a Copy of the Repreſentation they intended to ſend Home againſt his not giving his Aſſent to that Bill, he would alſo give them a full Copy of his Reaſons for refuſing to paſs it; that he would act candidly, and above-board; that he had not yet ſent thoſe Reaſons Home, nor would he do it till he had laid them before the Aſſembly, provided the Aſſembly furniſhed him with a Copy of their Repreſentation."

Adjournment Then the Houſe adjourned to *Tueſday* next, at Five o'Clock, *P. M.*

March 1. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem A Petition from the Juſtices of *Cheſter* County, ſetting forth the Inconvenience of limiting the Courts of Quarter Seſſion to the Space of two Days only, as much Buſineſs often comes before them, which cannot be accompliſhed in ſo ſhort a Time, was preſented to the Houſe, read, and *Ordered to lie on the Table.*

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Gibbons*, Mr. *Weſt* and Mr. *Yorke* be a Committee to bring in a Draught of the Inſtructions of the Houſe to *Benjamin Franklin*, Eſq; one of the Commiſſioners now about to embark for *England*.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 2. *Thomas Moore*, late Clerk of Aſſembly, deſiring Leave of the Houſe to reſign his Office, as too much interfering with his other Engagements in Buſineſs; a Petition from *Charles Moore*, requeſting the ſaid Office, was preſented to the Houſe; and being read,

Reſolved, *N. C. D.* That *Charles Moore* be the Clerk of this Houſe for the remaining Part of the Year, in Place of *Thomas Moore*, who has reſigned.

Ordered, That *Thomas Moore* give Notice to his Brother *Charles Moore*, that he do attend the Houſe accordingly To-morrow Morning.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 3. *Charles Moore* attending according to Order, took and ſubſcribed the uſual Qualification as Clerk of this Houſe.

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Hughes*, Mr. *Roberdeau*, Mr. *Galloway* and Mr. *Maſters* be a Committee to conſider the Charter of the City of *Philadelphia*, and Conduct of the Mayor and Commonalty of the ſaid City, and report thereupon to the Houſe.

The Speaker brought into the Houſe a Letter which had been put into his Hands by Mr. *Nathaniel Vernon*, which the ſaid *Vernon* had received from the Reverend Mr. *William Smith*, Provoſt of the Academy, concerning the late Election at *Northampton*, in the ſaid *Smith's* own Hand-writing, but the Name torn off.—And the ſaid Letter being read,

Ordered, That it be kept with the other Papers relating to the ſaid late Election for *Northampton* County.

The Committee appointed to draw up Inſtructions from the Houſe to *Benjamin Franklin*, Eſq; one of the Commiſſioners appointed to ſolicit the Redreſs of our Grievances in *Great-Britain*, made a Report that they had eſſayed a Draught of the ſaid Inſtructions, which they delivered in; and the ſame being read,

Ordered, That they lie upon the Table for the Peruſal of the Members.

Reſolved, That the Committee who brought in the ſaid Inſtructions be a Committee to collect all the Papers and Proofs neceſſary for the ſaid Agent to take with him.

The Draught of a Bill for regulating the Hire of Carriages to be employed in the King's Service within this Province, being read, was re-committed to the Committee who brought it in, with the Addition of the following Members, *viz.* Mr. *Fox*, Mr. *Leech*, Mr. *Galloway* and Mr. *James Wright*.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem *Ordered*, That the Clerk, upon Application of the Neutrals to him, ſhall write to the Overſeers of the Poor for the ſeveral Townſhips, and direct them to put the Law, entituled, *An Act for binding out and ſettling ſuch of the Inhabitants of* Nova Scotia, *imported into this Province, as are under Age, and for maintaining the Sick and Maimed, at the Charge of the Province*, in Execution, in ſuch Manner that thoſe who cannot provide for their own Subſiſtence, as by the ſaid Law is provided, do not periſh for Want.

Upon Motion, a Bill for ſupplying the Weſtern *Indians*, Friends and Allies of *Great-Britain*, with Goods at more eaſy Rates, *&c.* which had paſſed the late Aſſembly, being taken up, was read; and, after ſome Time ſpent thereon,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Hampton*, Mr. *Aſhbridge*,

Meſſieurs

Messieurs *John* and *James Wright* and Mr. *West* be a Committee to bring in a Bill for the Purposes in the said Bill mentioned. 1757. *March* 3.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait on the Governor, and request his Honour will be pleased to inform them whether he is yet come to any Result upon the several Bills which have been some Time before him, but more particularly upon the Supply Bill, as the House have been long waiting his Result upon that Bill. *March* 4.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had delivered the same according to the Order of the House; and that his Honour was pleased to say, he had all the afore-mentioned Bills under Consideration, but the Supply Bill in particular, upon which he thinks much Deliberation necessary.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The Committee appointed to bring in a Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, brought in a Bill for that Purpose, which was read the first time. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service within the inhabited Parts of this Province*, was read the second time, and ordered to be transcribed for a third Reading. *March* 5.

The Governor sent down to the House, by the Secretary, a Message, with a Letter to his Honour from Lord *Loudoun*, recommending a general Embargo on the Vessels of this Port; and desired the said Letter might be returned early in the Afternoon; which being read,

Ordered, That the Clerk return the same accordingly.

Then the House adjourned to *Tuesday* next, at Five o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *March* 8.

The Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, *&c.* being transcribed, and read the third time, *Post Meridiem*

Resolved, That the said Bill do pass.

Ordered, That Mr. *Walker* and Mr. *Douglass* wait upon the Governor therewith for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Bill for regulating the Hire of Carriages, *&c.* report, they had delivered the same accordingly; and that his Honour was pleased to say, he would take it into immediate Consideration. *March* 9.

The House then resumed the Consideration of their Instructions to *Benjamin Franklin*, Esq; which were read a second time; and, after some Time spent thereon,

Adjourned to Three o'Clock, *P. M.* Adjournment

The Instructions being again read, by Paragraphs, and considered, *Post Meridiem*

The House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House having gone through with their Alterations and Amendments on the Instructions to *Benjamin Franklin*, Esq; *March* 10.

Ordered, That the same be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Committee appointed to bring in a Bill for regulating the *Indian* Trade, reported to the House, that they had essayed a Draught of said Bill, which they delivered in, and the same being read, *Post Meridiem*

Ordered, That it lie on the Table for the Perusal of the Members.

The Petition of *John Carland*, a Resident in *Chester* County, was presented to the House and read, setting forth the distressful Situation of himself and Family, occasioned by the Injustice of *William Moore*, Esq; one of the Magistrates of said County, in having fraudulently possessed himself of the Petitioner's Effects, and refusing, contrary to Law or Reason, to give up the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Bill, entituled, *An Act for preventing Abuses in the* Indian *Trade*, &c. which was read the second time, and ordered to be transcribed for a third Reading. *March* 11.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for preventing Abuses in the *Indian* Trade, *&c.* being transcribed, and read the third time, *March* 12.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Hughes* and Mr. *West* wait on the Governor with the same, for his Assent thereto.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *March* 14.

The Members appointed to wait on the Governor with the Bill for preventing Abuses in the *Indian* Trade, *&c.* reported to the House, that they had delivered the same according to Order. *Post Meridiem*

1757. *March* 15. Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

The Governor returned to the Houſe, by the Secretary, the Bill, entituled, *An Act to render the Quartering of Soldiers on the Public-houſes of this Province leſs burdenſome*; alſo, the Bill for regulating the Hire of Carriages, *&c.* with a Meſſage, that his Honour was ready to paſs the ſame into Laws, whenever preſented to him for that Purpoſe.

The Secretary likewiſe delivered to the Houſe a Letter, dated at Fort *Auguſta*, *March* 10, 1757, from Major *Burd* to *George Croghan*, Eſq; Deputy to Sir *William Johnſon* for *Indian* Affairs, with Advice of the Arrival at ſaid Fort of five friendly *Indians*; and that *Joſeph Peepy* and *Lewis Montour*, with Ninety other *Indians*, were expected there in a few Days; and deſired from the Governor, that Proviſion might be made by the Houſe for Support of ſaid *Indians*. Alſo, that the *Maſſachuſetts Indian* Trade Bill be ſent up to his Honour.

Ordered, That the Clerk wait upon the Governor with the ſaid Bill.

Ordered, That *Benjamin Franklin*, Eſq; be added to the Committee appointed to wait on Lord *Loudoun*, with an Addreſs from the Houſe of Aſſembly.

Ordered, That the afore-mentioned two Bills, returned by the Secretary, be engroſſed, in order to be enacted into Laws.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 16. The Committee appointed to wait on his Excellency the Earl of *Loudoun*, with an Addreſs from the Houſe, reported, they had delivered the ſame according to Order, and that his Lordſhip was pleaſed to return a verbal Anſwer to the following Effect, *viz.* "That he was obliged to the Houſe for their kind Addreſs.—That they had judged "very juſtly of the Intention of his Majeſty in ſending him to *America*; and that he "would do the utmoſt in his Power to give the People here all the Aſſiſtance poſſible; "but recommended, that at this Time all Animoſities and Differences ſhould be laid "aſide, and Harmony ſubſiſt among us: For, if the Colonies did not do their Parts, "and Matters ſhould not ſucceed to their Expectations, they muſt not blame him; but "ſhould they perform what they ought on their Parts, they might be aſſured nothing "ſhould be wanting on his."

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem *Ordered*, That Mr. *Baynton* and Mr. *Wright* wait on the Governor, and acquaint him, that the two Bills, returned on *Tueſday* by the Secretary, being engroſſed, the Houſe beg to know, whether any Hour To-morrow Forenoon will be convenient to his Honour to paſs the ſame into Laws.

The Gentlemen appointed to wait on the Governor, reported to the Houſe, they had delivered the above Meſſage according to Order, and that his Honour was pleaſed to ſay, he would attend in the Council Chamber at Twelve o'Clock To-morrow, in order to enact the ſaid Bills into Laws.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 17. The Houſe being informed that two Members of Council were attending in the Council Chamber, by Order of the Governor, to compare the three Bills, to which his Honour hath given his Aſſent, with their engroſſed Copies,

Ordered, That Mr. *Pearne* and Mr. *John Wright* do meet the ſaid Members of Council for that Purpoſe.

The Gentlemen appointed to join the Members of Council in comparing the aforeſaid Bills, reported to the Houſe, they had compared the ſame with their engroſſed Copies, and found them to agree.

Ordered, That Mr. *Pearne* and Mr. *John Wright* do ſee the Great Seal affixed to the ſaid Laws, after they ſhall be enacted, and the ſame depoſited in the Rolls Office.

Then Mr. Speaker, with the whole Houſe, waited on the Governor in the Council Chamber. —— And being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the three Bills, entituled as follow, *viz.*

An ACT *for the further Continuance of an Act of General Aſſembly of this Province, entituled, An Act for the more eaſy Recovery of Legacies.*

An ACT *to render the Quartering of Soldiers on the Public-houſes of this Province leſs burdenſome.* And,

An ACT *for regulating the Hire of Carriages to be employed in his Majeſty's Service within the inhabited Parts of this Province.*

To all which the Governor was pleaſed to give his Aſſent, by enacting the ſame into Laws.

Ordered, That the Militia Bill be re-committed to the Committee that brought it in, with the Addition of the following Members, *viz.* Mr. *Hughes*, Mr. *Maſters*, Mr. *Walker*, Mr. *John Wright*, Mr. *M'Connaughy* and Mr. *Weſt*.

The Gentlemen appointed to ſee the Great Seal affixed to the three Laws paſſed by the Governor this Forenoon, and the ſaid Laws depoſited in the Rolls Office, reported to the Houſe, that the ſame had been done according to Order.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Ordered,

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor, and acquaint him, that the Business of the House being chiefly before his Honour, and in the Hands of Committees, the Members incline to make a short Adjournment to *Monday* next, unless the Governor hath any Thing to lay before them which requires their immediate Consideration. 1757. *March* 18.

The Gentlemen appointed to wait on the Governor, reported to the House, they had delivered the above Message according to Order, and that his Honour was pleased to say, he had nothing prepared at present to lay before the House; but on *Monday* next should have several Matters in Readiness for their Consideration.

The Secretary, by a verbal Message from the Governor, requested that the Report of the Lords of Trade on the *Sixty Thousand Pounds* Act, sent down to the House some Time ago, might be returned to his Honour.

Ordered, That the Clerk wait upon the Governor with the said Report in the Afternoon.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *March* 21.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and is as follows: *Post Meridiem*

GENTLEMEN,

'BEING convinced that nothing could more effectually secure the People of this 'Province from the Attacks of the Enemy than a well trained and regular Mi- 'litia, I thought it my Duty to recommend it to you in the most pressing Terms, at your 'first Meeting in *October* last, to frame a just and equitable Militia Bill with all possible 'Dispatch. A Message from the Governor to the Assembly.

'Moved by the same Sense of Duty, I must again request that you will not suffer a 'Matter of so great Importance to be any longer delayed.

March 21, 1757. *WILLIAM DENNY*."

The Secretary likewise brought down the Bill for preventing the Exportation of Provisions, naval or warlike Stores, from this Province, *&c.* and acquainted the House, that the Governor adhered to his Amendments thereon.

At the same Time the Secretary returned the Bill for preventing Abuses in the *Indian* Trade, *&c.* with the Governor's Amendments thereon in Writing.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House proceeded to consider the two Bills brought down Yesterday by the Secretary from the Governor, with his Honour's Amendments to one of them, entituled, *An Act for preventing Abuses in the* Indian *Trade*, &c. and referred the further Consideration thereof to the Afternoon. *March* 22.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Governor, by the Secretary, sent down the Bill, entituled, *An Act for granting* One Hundred Thousand Pounds *to the King's Use*, &c. with the following verbal Message: *Post Meridiem*

" The Governor returns the Bill, entituled, *A Supplement to the Act, entituled, An* " *Act for granting* Sixty Thousand Pounds *to the King's Use*, &c. and commands me to " acquaint the House, that though his Sentiments are still the same, respecting it, as be- " fore, yet the Intelligence now laid before you has determined him to give his Assent " to it, and will pass it To-morrow at One o'Clock, if it can be engrossed and ready by " that Time."

The House again took into their Consideration the Governor's Amendments to the Bill, entituled, *An Act for preventing Abuses in the* Indian *Trade*, &c. and the Question being put, Whether the following Amendment should be admitted therein? *viz.*

[" And

" shall be, and are hereby nominated and appointed Commissioners of *Indian* Affairs for " this Province, to do, execute and perform the several Duties and Things required of " them by this Act, during the Continuance thereof; and the said Commissioners shall, " once in every Year, settle and adjust their Accounts with a Committee of the Council, " to be appointed by the Governor and Commander in Chief of this Province for the " Time being, in Conjunction with a Committee to be nominated by the Assembly for " that Purpose, and shall be allowed for their Services such a Reward or Salary as the " said respective Committees shall think reasonable: But, before the said Commissioners " shall enter into the Execution of the said Trust, each of them shall take an Oath " or Affirmation before some Magistrate having Power to administer the same, that he " will well and truly execute the Office of a Commissioner of *Indian* Affairs, to the best " of his Skill, Ability and Knowledge; and moreover shall enter into a Bond to our " Sovereign Lord the King, his Heirs and Successors, with two sufficient Securities, in " the penal Sum of *Pounds*, conditioned for the due and faith- " ful Discharge of the Trust reposed in him by this Act.

" And be it further enacted by the Authority aforesaid, That if any of the said Com-

" missioners,

1757. *March* 22. "missioners, for *Indian* Affairs, shall happen to die, or be removed from his Office for "Misbehaviour, or any other legal Cause, during the Continuance of this Act, another "fit and suitable Person shall be appointed in his Stead, by Act of General Assembly of "this Province; and until such Appointment is made, the surviving or remaining Com- "missioners shall be the Commissioners for *Indian* Affairs, to all Intents and Purposes, "and are hereby authorized to act in the said Office, and exercise the same Powers as "all the said Commissioners might or could do before such Death or Removal."]

It was resolved in the Negative, N. C. D.

The House then proceeded to consider the other Amendments to the said Bill; to some of which they agreed.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor with the Bill, entituled, *An Act for preventing Abuses in the* Indian *Trade*, &c. and with the Answer of the House to the Governor's Amendments thereon, and desire his Assent to the said Bill as it now stands; also, that his Honour would be pleased to appoint a Conference with a Committee of the House on the Bill, entituled, *An Act to prevent the Exportation of Provisions, naval or warlike Stores*, &c. for which Purpose the House will nominate some of their Members, who shall wait on the Governor at any Time and Place he may be pleased to appoint.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Pearne*, Mr. *Walker*, Mr. *Gibbons*, Mr. *Grubb* and Mr. *Carpenter* be a Committee to bring in a Bill for obtaining a better Return of Property to render the Taxing of the Inhabitants of this Province more just and equal.

Adjournment. Then the House adjourned to Eleven o'Clock To-morrow Morning.

Adjournment *March* 23. The Gentlemen appointed to wait on the Governor with the Bill, entituled, *An Act for preventing Abuses in the* Indian *Trade*, &c. with the Amendments, reported, they had delivered the same according to Order, and requested a Conference as directed; to which the Governor was pleased to say, he was sorry to differ in Opinion from the House on the Bill for preventing Abuses in the *Indian* Trade, *&c.* and would therefore re-consider it: But as to a Conference on the Bill for preventing the Exportation of Provisions, naval and warlike Stores, *&c.* he knew no Use it could be of, as he was not at Liberty to recede from his Amendments to the said Bill. He would, however, communicate to the House the Reasons which prevailed on him to make those Amendments, and if they should afterwards request a Conference, he would then appoint one.

The Clerk having brought into the House an engrossed Copy of the Bill, entituled, *A Supplement to the Act, entituled, An Act for granting* Sixty Thousand Pounds *to the King's Use*, &c.

Ordered, That Mr. *Leech* and Mr. *Pearne* do collate the said engrossed Copy with its Original, and report thereon to the House.

The Gentlemen appointed to compare the aforesaid engrossed Bill, reported, that they had, with two Members of Council, compared the same, and found it to agree with the Original.

The Secretary acquainted the House, that the Governor was in the Council Chamber, and requested their Attendance, in order to enact the Bill, to which he had given his Assent, into a Law.

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on his Honour with the Bill, entituled, *A Supplement to an Act, entituled, An Act for granting the Sum of* Sixty Thousand Pounds *to the King's Use, and for striking* Fifty-five Thousand Pounds *thereof in Bills of Credit, and to provide a Fund for sinking the same, and for granting to his Majesty the additional Sum of* One Hundred Thousand Pounds, to which the Governor was pleased to give his Assent, by enacting the same into a Law.

Ordered, That Mr. *Fox* and Mr. *M'Connaughy* do see the Great Seal affixed to the said Law, and the same deposited in the Rolls Office.

Adjournment. Then the House adjourned to Four o'Clock *P. M.*

Adjournment *Post Meridiem* The Members appointed to see the Great Seal affixed to the Law passed in the Forenoon, and the same deposited in the Rolls Office, reported, that they had seen both done according to Order.

Mr. *Fox* also reported, that in Pursuance of an Order of the House he had waited on the Receiver General, and pressed the Discharge of the Residue of the Proprietaries Free Gift to this Province of *Five Thousand Pounds*; in Answer to which, the Receiver assured him, he had already paid more towards the Discharge of the said *Five Thousand Pounds* than he had received of the Arrears of Quitrents, from which only the Payment thereof was to arise.

Ordered, That Mr. *Galloway* and Mr. *West* wait on the Governor, and request he will be pleased to return to the House their Bill for granting to his Majesty *One Hundred Thousand Pounds*, &c. offered to his Honour in *January* last, and rejected by him.

Adjournment. Then the House adjourned to Ten o'Clock To-morrow Morning.

The

The Members appointed to wait on the Governor, and requeſt he would be pleaſed to return to the Houſe the Bill formerly offered him for granting *One Hundred Thouſand Pounds* to the King's Uſe, &c. reported they had done the ſame according to Order; and that his Honour was pleaſed to ſay, he had not the Bill then by him, but would order the Secretary to ſend it to the Houſe immediately. 1757. *March* 24.

The Clerk having informed the Houſe, that the Secretary had delivered to him the Bill requeſted from the Governor,

Ordered, That the ſame do lie upon the Table for the Peruſal of the Members.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe taking into Conſideration the Governor's Meſſage of the Fifteenth Inſtant, requeſting Proviſion be made for a Number of Friendly *Indians* coming into the Province, *Poſt Meridiem*

Reſolved, That the Provincial Commiſſioners do make the Proviſion neceſſary for that Purpoſe.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait upon the Governor, and acquaint him with the ſaid Reſolve.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Meſſage according to Order; and that his Honour was pleaſed to ſay, he was glad the Houſe had recommended to the Commiſſioners to make ſuitable Proviſion for the ſaid *Indians*.

A Petition, from the Overſeers of the Poor of the City of *Philadelphia*, was preſented to the Houſe and read, praying a Law may be framed for eſtabliſhing a Work-houſe in the ſaid City.

Ordered, That the ſaid Petition lie on the Table for the Peruſal of the Members.

Mr. *Hughes* requeſting Leave of the Houſe to be abſent four or five Days, on very urgent Buſineſs, was excuſed for that Time.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe reſumed the Conſideration of the Militia Bill; upon which, having ſpent ſome Time, they adjourned to Four o'Clock, *P. M.* *March* 25. Adjournment

The Houſe again reſumed the Conſideration of the Bill for forming and regulating the Militia of this Province, and then adjourned to Ten o'Clock To-morrow Morning. *Poſt Meridiem* Adjournment

The Houſe went upon the further Conſideration of the Militia Bill, in which having made ſome Alterations and Amendments, they adjourned to *Monday* next, at Three o'Clock, *P. M.* *March* 26. Adjournment

The Houſe met, purſuant to their Adjournment. *March* 28.

Mr. Speaker, by Order of the Houſe, brought into the Houſe a Draught of a Bill for ſtriking the Sum of *Two Thouſand Eight Hundred and Forty Pounds*, to be ſunk by Payments to be made by the Proprietaries Receiver General, which was read, and ordered to lie on the Table for the Peruſal of the Members. *Poſt Meridiem*

Ordered, That the Committee of Grievances do make out a Liſt of all the Indentures delivered to the Houſe, of Servants inliſted in his Majeſty's Service, and calculate on each the Sum reſpectively due to every Maſter of ſuch Servants, and lay a Copy of the ſame before the Houſe with all convenient Diſpatch.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Houſe again took up the Militia Bill. *March* 29.

Mr. *M'Connaughy* requeſting, in Conſideration of his conſtant Attendance on the Houſe for a long Time paſt, to be abſent for the remaining Part of the Seſſion, was excuſed accordingly.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

The Houſe went again on the Militia Bill; and, after ſome Time ſpent thereon, adjourned to Ten o'Clock To-morrow Morning. *Poſt Meridiem* Adjournment

The Houſe having gone through the Militia Bill, ordered that the ſame be tranſcribed for a third Reading. *March* 30.

An Addreſs from the Meeting of Sufferings of the People called *Quakers*, for the Province of *Pennſylvania*, was preſented to the Houſe and read, ſetting forth, that they had been informed, the Houſe "were preparing a Law for eſtabliſhing a Militia in this Pro-"vince," and praying that they would make ſuch Proviſion therein as to preſerve the Liberty of Conſcience heretofore enjoyed by them and their Brethren.

Then the Houſe adjourned to Four o'Clock, *P. M.* Adjournment

The Militia Bill being tranſcribed according to Order, and brought into the Houſe, was read the third time; and two Riders offered thereon by ſome of the Members, being likewiſe three times read, and agreed to by the Houſe, were annexed to the Bill. *Poſt Meridiem*

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Fox* and Mr. *Galloway* wait on the Governor with the ſame for his Concurrence.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Bill for forming and *March* 31.

1757. *March* 31. regulating the Militia of this Province, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take it immediately into Conſideration, and give it all the Diſpatch in his Power.

The Bill for ſtriking the Sum of *Two Thouſand Eight Hundred* and *Forty Pounds*, to be ſunk by Payments to be made by the Proprietaries Receiver General, was read a ſecond time, and agreed to by the Houſe.

Ordered, That the ſaid Bill be tranſcribed for a third Reading.

Adjournment Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem The Bill for ſtriking the Sum of *Two Thouſand Eight Hundred* and *Forty Pounds*, &c. being tranſcribed, was read the third time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor therewith for his Concurrence.

Mr. *Galloway* having laid before the Houſe an Account, exhibited by Mr. *William Franklin*, of Poſtage of Letters to the Governor on the Buſineſs of the Province;

Ordered, That the ſame be referred to the Committee of Accounts.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 1. The Members appointed to wait on the Governor with the Bill for ſtriking *Two Thouſand Eight Hundred* and *Forty Pounds*, &c. reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take the ſaid Bill immediately into Conſideration, and give it all the Diſpatch in his Power.

The Petition of *John Errit* was preſented to the Houſe and read, praying Redreſs for the Injuſtice done him by *William Moore*, Eſq; a Magiſtrate of *Cheſter* County.

A Petition from ſeveral of the Inhabitants of the ſaid County was alſo preſented and read, ſetting forth the Extortion of Conſtables, and praying Relief againſt the ſame.

The Houſe taking the ſaid Petitions, and many others heretofore preſented againſt *William Moore*, Eſq; into Conſideration,

Ordered, That the ſame be referred to the Committee of Aggrievances, and that Mr. *Galloway* be added to the ſaid Committee in the Room of *Benjamin Franklin*, Eſq; alſo, that the Clerk of Aſſembly acquaint the ſaid *William Moore* with the Reſolution of the Houſe to enquire into the Juſtice of the aforeſaid Complaints againſt him at their next Seſſion, and that he may in the mean Time be furniſhed with Copies of the Petitions by the Clerk, upon paying the Expence of tranſcribing the ſame.

Ordered, That Mr. *Galloway* be alſo added to the Committee of Correſpondence, in the Room of *Benjamin Franklin*, Eſq;

Ordered, That the Accounts of the Expences of cutting the *Ohio* Road, of furniſhing Proviſions to General *Shirley*, General *Braddock*, and of ſupporting the *French* Neutrals, be referred to the Committee of Accounts, who are to report thereon to the Houſe.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Committee of Accounts reported on Mr. *Franklin's* Account, of Poſtage for the Governor's Letters on public Buſineſs, their Opinion, that the ſame ought to be paid.

Reſolved, That the ſaid Account of Poſtage be referred to the Provincial Commiſſioners for Payment.

Reſolved, That the Sum of *Fifteen Hundred Pounds* Sterling, to be paid by the Truſtees of the General Loan-Office, be allowed for tranſacting the public Affairs of this Province in *Great-Britain*, in order to obtain Redreſs of the many Grievances under which we labour, through Infractions of our Charters, and the Rights we ought to enjoy as *Engliſhmen*, by Proprietary Inſtructions to our preſent and late Governors.

Ordered, That Mr. *Baynton* and Mr. *Weſt* do immediately purchaſe the Sum of *Seven Hundred* and *Fifty Pounds* Sterling, in Bills of Exchange, to be put into the Hands of *Benjamin Franklin*, Eſq; one of the Commiſſioners, now on his Departure for *Great-Britain*; and that the Remainder of the ſaid *Fifteen Hundred Pounds* Sterling, be ſubject to the Draughts and Orders of the ſaid Commiſſioners, or either of them, for the Purpoſes aforeſaid.

Mr. Speaker laid before the Houſe a Letter from *Peter V. Brugh Livingſton*, by which it appears, that the Sum of *One Hundred* and *Forty-five Pounds Thirteen Shillings* and *Three-pence* remains due to him, for Charges by him paid upon the Proviſions formerly remitted to *New-York*, for the *New-England* Forces, by Order of Aſſembly.

Ordered, That Mr. *Fox* and Mr. *Weſt* do ſettle the Account of that Grant with Meſſieurs *Mifflin*, *Meredith* and *Smith*, and the Account of *Peter V. Brugh Livingſton*, and report thereon to the Houſe.

Ordered, That Mr. *Walker* and Mr. *Owen* wait on the Governor, and acquaint him, that the Houſe, having laid all the Buſineſs, at preſent under their Conſideration, before him, deſire to know when his Honour will be ready to return the Bills now with him to the Houſe, as the Members incline to make a ſhort Adjournment till *Tueſday* next.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Meſſage according to Order, and that his Honour was pleaſed to ſay, he hoped by *Tueſday* next he ſhould have the Militia Bill in Readineſs to lay before the Houſe.

Then

Then the House adjourned to *Tuesday* next, at Five o'Clock in the Afternoon. 1757.

The House met, pursuant to their Adjournment. *April* 5. *Post Meridiem*

The Governor sent down to the House, by the Secretary, the Bill for preventing Abuses in the *Indian* Trade, with a verbal Message, that he adhered to his Amendments thereon; and that the Militia Bill before him requiring more Deliberation than he at first expected, he had not then sent it to the House, but should return it as soon as he had more fully considered it.

Then the House adjourned to Twelve o'Clock To-morrow. Adjournment

Mr. *Baynton* and Mr. *West* reported, they had purchased Bills on Account of the Province, to the Amount of *Seven Hundred* and *Fifty Pounds* Sterling, at *Sixty-five per Cent.* Exchange; and that they had delivered the said Bills to *Benjamin Franklin*, Esq; according to Order. *April* 6.

The Question being put, Whether the Governor's Amendments on the Bill for preventing Abuses in the *Indian* Trade, *&c.* sent down to the House Yesterday, shall be admitted in the said Bill? was unanimously resolved in the Negative.

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor, and acquaint him, that the Business of the House being chiefly before his Honour, the Members incline to a short Adjournment, unless he has come to some Result on the Militia Bill, and is ready to lay it before them.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order, and that his Honour was pleased to say, the Militia Bill was long, and would require more Time to consider it fully; but that he should, by a Message to the House To-morrow, let them know his Result thereon; and that the Bill for striking the Sum of *Two Thousand Eight Hundred* and *Forty Pounds*, the Remainder of the Proprietary Gift, should be returned to the House at the same Time.

Upon Motion, the Petition of Mr. *Jacob Duché*, presented to the House some Time ago, was again read, and being considered, was referred, with the Petition of Mr. *Grubb*, a Member of Assembly, and that of Mr. *Joseph Wharton*, to the same Purpose, to the Provincial Commissioners for Payment.

Then the House adjourned to Three o'Clock To-morrow *P. M.* Adjournment

Resolved, That the House do, at their next Session, resume the Consideration of the *Northampton* County Election, and that the Clerk in the mean time give Notice to the Persons concerned therein, that they give their Attendance accordingly. *April* 7. *Post Meridiem*

The Governor sent down to the House, by the Secretary, the Bill for striking the Sum of *Two Thousand Eight Hundred* and *Forty Pounds*, to be sunk by Payments to be made by the Proprietaries Receiver General, with the following verbal Message:

" The Governor commands me to acquaint the House, that the Receiver General " will pay as much to the Commissioners, for the Proprietaries, at their next Meeting, " as will reduce the Sum to *Two Thousand Pounds*. The Receiver further promises to " use all possible Diligence in collecting the Arrears of Quitrents, and discharge the Re- " mainder out of that Fund as soon as possible, and before the Term proposed. As this " will render the Bill less necessary, the Governor returns it, being unwilling to make " any Addition to the Paper-Currency, which is already too large."

The House taking into Consideration the Governor's Message by the Secretary,

Ordered, That Mr. *Roberdeau* and Mr. *Galloway* wait on his Honour with the Bill just sent down to the House, and a verbal Message as follows, *viz.*

That the Proprietaries Gift of *Five Thousand Pounds* was made in Consideration of their being exempted from paying their reasonable Proportion of a necessary Sum of Money long since expended in the Defence of the Province. And by the Act, entituled, *An Act for granting* Sixty Thousand Pounds *to the King's Use*, &c. the Money was to be paid immediately by their Receiver General into the Hands of the Provincial Commissioners for that Purpose.

The Commissioners have repeatedly called on him for that Money with so little Success, that they have not to this Day received one Half of the Sum given, the Payment having been evaded by Answers, that the Receiver General could not collect sufficient Sums of Money from the Arrearages of the Proprietary Quitrents to discharge their Gift. Whether this be so or not, we shall not positively determine, but are credibly informed, that considerable Sums of Money have been lately paid to the Receiver General by the People, in Discharge of their Quitrents.

The Governor is pleased to say, in his last Message, that the Receiver General " pro- " mises to use all possible Diligence in collecting the Arrears of Quitrents, and dis- " charge the Remainder out of this Fund as soon as possible, and before the Term pro- " posed." It is not material to us out of what Fund the Money is to arise, nor have we any Thing to do with the Collection of the Quitrents; and we conceive the Proprietaries are in Honour bound to " discharge the Remainder" immediately, should their Quitrents never be collected, especially as the Public have been, and still are, in great Want of the Money.—— The Term proposed was not for the Payment of the

Money

1757. *April* 7. Money into the Hands of the Commiſſioners, but for ſinking it; therefore, the Receiver General's Promiſe of "diſcharging it before the Term propoſed" is unintelligible, and by no means ſatisfactory to us; nor do we apprehend the Striking ſo ſmall a Sum as *Two Thouſand Pounds* can be of any ill Conſequence, as Exchange is now lower than it has been for ſeveral Years paſt. The Bill was calculated to make the Payment eaſy to the Proprietaries, and to give the Public the immediate Uſe of the Money by ſtriking it, though at their own Expence, without the leaſt Deſign of depriving the Public of the preſent Benefit of a Sum of Money to which they have an undoubted Right. —— We therefore beg Leave to return the Bill to your Honour, and deſire you would paſs it into a Law."

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 8. The Houſe taking into Conſideration the Order for *Six Hundred Pounds* payable to the Governor, preſented by the Aſſembly ſoon after his Arrival into this Province,

Reſolved, That it will be very agreeable to this Houſe, that the ſaid Order be forthwith diſcharged, and it is unanimouſly recommended to the Provincial Commiſſioners for that Purpoſe.

The Members appointed to wait on the Governor with the Bill for ſtriking *Two Thouſand Eight Hundred* and *Forty Pounds*, and the verbal Meſſage of Yeſternight, report, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take them both into Conſideration, and give them all the Diſpatch in his Power.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor ſent down to the Houſe, by the Secretary, the Bill for forming and regulating the Militia of this Province, with his Amendments thereon in Writing.

The Houſe taking the ſaid Amendments into Conſideration, after ſome Time ſpent therein, the Queſtion was put, whether the Amendment, veſting his Honour with the Nomination of Officers, ſhould be admitted in the Bill? and the ſame was unanimouſly reſolved in the Negative.

The Queſtion was then put, whether the Governor's Amendment, requiring "Perſons religiouſly ſcrupulous of bearing Arms to appear in an open Court of Quarter Seſſions, there publicly to declare to what Society they belong, and that they are really and religiouſly principled againſt all War, and conſcientiouſly ſcrupulous of bearing Arms," ſhall be admitted in the Bill or not? and the ſame was unanimouſly reſolved in the Negative.

Then the Houſe went through the Amendments, and admitted of ſome, and on the reſt adhered to their Bill.

Ordered, That Mr. *Galloway* and Mr. *Baynton* wait on the Governor, and acquaint him, that the Houſe had conſidered his Amendments, and deſire he would reconſider it, and paſs it into a Law as it now ſtands. And further, inform the Governor, that as there is ſoon to be a Treaty with the *Six Nations*, and other *Indians*, if agreeable to him, the Houſe will appoint ſome of their Members to attend him on that Occaſion.

The Gentlemen appointed to wait on the Governor with the above Meſſage, reported, they had delivered the ſame according to Order, and that his Honour was pleaſed to ſay, he would take the Bill again under Conſideration, and, if poſſible, give them an Anſwer To-morrow in the Afternoon. And that he requeſted the Houſe would nominate ſome of their Members to attend him to the ſaid *Indian* Treaty.

A Petition from *Joſhua Humphreys*, of *Merion*, was preſented to the Chair and read, praying the Houſe would appoint him the Officer for inſpecting and branding Flour exported from this Province.——*Referred to further Conſideration.*

Adjournment Then the Houſe adjourned to Three o'Clock To-morrow Afternoon.

April 9. *Poſt Meridiem* The Governor returned, by the Secretary, the Bill for ſtriking *Two Thouſand Eight Hundred* and *Forty Pounds*, to be ſunk by Payments to be made by the Proprietaries Receiver General; who acquainted the Houſe, that his Honour would not paſs it.

The Secretary likewiſe brought down the Bill, entituled, *An Act for forming and regulating the Militia of this Province*, with an Anſwer, that the Governor adhered to every one of his Amendments thereon.

Ordered, That Two Hundred Copies of the ſaid Militia Bill, with the Governor's Amendments thereto, be forthwith printed; and that Mr. *Fox* and Mr. *Leech* ſee the ſame done accordingly.

Upon Motion, the Petition of the Overſeers of the Poor of the City of *Philadelphia*, praying a Law for erecting a Workhouſe in the ſaid City, being read a ſecond time,

Reſolved, That the ſaid Petitioners have Leave to bring in a Bill for that Purpoſe.

Reſolved, That Mr. Speaker, with Mr. *Fox*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Aſhbridge* and Mr. *Weſt*, do attend the Governor to the Conferences ſoon expected to be held with the *Indians* of the *Six Nations*, and others, at *Lancaſter*.

Mr. *Galloway* having laid before the Houſe Mr. *William Franklin's* Account of Services

vices as Clerk of Assembly; and Mr. *Charles Brockden's* Account against the Province, the same were referred to the Committee of Accounts. 1757. *April* 9.

Resolved, That Mr. *Galloway* be added to the Committee for revising and correcting the Minutes of the House, in the Room of *Benjamin Franklin*, Esq;

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor, and acquaint him, that the House have nominated Mr. Speaker, with Mr. *Fox*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Masters*, Mr. *Ashbridge* and Mr. *West*, to attend his Honour at the Treaty soon expected to be held with the *Indians* at *Lancaster*; and that the Members incline to adjourn to the Eighth Day of next *August*.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order, and that his Honour was pleased to say, the Gentlemen appointed to attend him at the said *Indian* Treaty were very agreeable to him; and that he had no Objection to the proposed Term of Adjournment.

Then the House adjourned to the Eighth Day of *August* next, at Five o'Clock, *P. M.* Adjournment

THE Representatives of the Province having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed,, summoned to meet him this Day in Assembly, Mr. Speaker, and Twenty-one of the Members, met accordingly; but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning. *May* 30. *Post Meridiem* Adjournment

This Morning Mr. Speaker, and Twenty-one of the Members, met again, agreeable to Adjournment; but two being still wanted to make a Quorum, they adjourned to *Monday* next, the Sixth of *June*, at Four o'Clock, *P. M.* *May* 31. Adjournment

The House met, pursuant to their Adjournment. *June* 6.

Ordered, That Mr. *Baynton* and Mr. *West* wait on the Governor, and acquaint him, that the House being met, in Pursuance of his Summons, are ready to proceed upon any Business he may have to lay before them, and desire he would be pleased to send to the House a Copy of the Writ by which they were called. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour, in Consequence thereof, was pleased to put into their Hands a written Message, with sundry other Papers, to be laid before the House, which they delivered at the Table, and the said Message being read, follows in these Words, *viz.* *June* 7.

GENTLEMEN,

'MY Duty to his Majesty, and the critical Situation of public Affairs at this Juncture, have laid me under the Necessity of calling you together before the Time of your Adjournment. A Message from the Governor to the Assembly.

'I now lay before you two Letters, of the Fourth and Nineteenth of *February*, which 'I lately received from the Secretary of State; by one of which, you will perceive it 'to be his Majesty's Pleasure, that I should press you, in the strongest Manner, to raise, with 'the utmost Expedition, as large a Number of Provincial Troops as may be, for the Service 'of the present Campaign, over and above what you shall judge necessary for the immediate 'Defence of this Province; and that the Troops so raised should act in such Parts as 'the Earl of *Loudoun* shall think most conducive to the Service in general.

'I likewise lay before you his Lordship's Letter of the Fifth of *May*, in which, after 'expressing his Concern of the Dangers to which this Province stands exposed, for want 'of a Militia Law, his Lordship desires that I will, in Compliance of his Majesty's said 'Commands, apply in the most pressing Terms to you, to raise at least Five Hundred 'Men, to be added to the Provincial Forces; and I cannot in the least doubt a ready 'Obedience on your Part, when I consider that the Security, and very Being, of this 'and the neighbouring Provinces so much depend on vigorously supporting the wise 'Measures concerted by our most gracious Sovereign for their common Defence and 'Protection. His Lordship is pleased to observe the singular Light this Province stands 'in, when every other Colony has wisely provided by such a Law for its Defence; and 'I may add, that it seems the more extraordinary, when the other Government of the 'Lower Counties has set so good an Example. I am the more concerned, when I re-'flect what Observations the King's Ministers will make on your Conduct, after receiving 'the Copy of a Militia Bill offered me in your last Sessions, which, in some Particulars 'of great Consequence, is even more anti-constitutional than that which was repealed 'by the King in Council last Year.

'The Part the Southern Provinces are to take in the Operations of this Campaign, 'was settled between Lord *Loudoun* and the respective Governors of those Colonies, as 'you will see by the Minutes now laid before you. It was stipulated by me, on the 'Part of this Province, that Two Hundred of our Provincial Forces should be sent 'to *South-Carolina*, with five Companies of the First Battalion of the *Royal-American*

1757. June 7. ‘ Regiment, under the Command of Lieutenant Colonel *Boquet*; in Conſideration of ‘ which his Lordſhip agreed to leave the other five Companies of that Battalion, under ‘ the Command of Colonel *Stanwix*, for the Defence of this Province: It is Matter of ‘ great Concern to me, that it has not hitherto been in my Power to comply with my ‘ Engagement with his Lordſhip. You are ſenſible that the Term being lately expired ‘ for which the Provincials were inliſted, and they being diſcouraged at their not re- ‘ gularly receiving their Pay, refuſed to continue in the Service, and went off in ſo great ‘ Numbers, as to leave Part of the Frontiers in a very weak and defenceleſs Situation; ‘ but I have now the Pleaſure to inform you, that the Commiſſioners have lately agreed ‘ to give a larger Bounty to ſuch as ſhall inliſt, and the Officers meet with Succeſs in ‘ Recruiting; ſo that I hope the Regiments will ſoon be complete, and I may be en- ‘ abled to fulfil my Engagement, which I am perſuaded you will think a very ad- ‘ vantageous one for this Province.

‘ The Minutes of the Conference I lately had with the *Indians* at *Lancaſter* are pre- ‘ paring, and ſhall ſoon be laid before you. His Majeſty having truſted Sir *William* ‘ *Johnſon* with the ſole Management of *Indian* Affairs in the Northern Diſtrict of *Ame-* ‘ *rica*, this Interview was only acquieſced in by the Earl of *Loudoun*, and Sir *William* ‘ *Johnſon*, in Conſequence of a Treaty held at *Eaſton*, before his Lordſhip's Arrival in ‘ *America*, or my Acceſſion to this Government: His Lordſhip's Letter ſufficiently ex- ‘ preſſes his Sentiments of the Conduct of the People of this Province, with regard to *In-* ‘ *dian* Affairs, and he is of Opinion they will ſee it to be their Intereſt, as well as their ‘ Duty, to pay Obedience to the King's Commands, and not to interfere with his Pre- ‘ rogative of making Peace and War.

‘ As long as Colonel *Stanwix* is ſtationed on the Weſtern Frontier, it would be for ‘ his Majeſty's Service, and that of the Province, to have the Poſt eſtabliſhed on its for- ‘ mer Footing.

‘ The Commiſſioners having acquainted me, that the Sum of *Forty-five Thouſand* ‘ *Pounds*, lately ſtruck, is almoſt expended, and the ſmall Remainder appropriated, ‘ I muſt recommend it to you, to find ſome Means of immediately furniſhing a further ‘ Sum for the Payment of the Troops, and other neceſſary Expences of the Government.

June 6, 1757. *WILLIAM DENNY.*”

The Papers ſent down to the Houſe with the foregoing Meſſage from the Governor, were ſeverally entituled as follow, *viz.*

A Letter from the Honourable William Pitt, *Eſq; Secretary of State, to the Governor, dated* February 4, 1757.

Another Letter from the ſaid Secretary of State to the Governor, dated February 19, 1757.

A Letter from the Earl of Loudoun, *upon* Indian *Affairs, dated at* New-York.

Minutes of a Meeting of the Governors of North-Carolina, Virginia, Maryland *and* Pennſylvania *with the Earl of* Loudoun, *held at* Philadelphia, *from the Fifteenth of* March, *to the Twenty-fourth of the ſame Month.*

A Copy of the Writ for calling the Aſſembly.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe taking the Governor's Meſſage, with the Papers accompanying it, into Conſideration, after ſome Time ſpent therein, adjourned to Ten o'Clock To-morrow Morning.

Adjournment.

June 8. The Account of *James Whitehead*, for boarding *Peter Deloé*, and *Anthony Guin*, Priſoners, with a Petition to the Houſe, praying Payment of the ſame, were preſented to the Table, read, and referred to further Conſideration.

The Petition of *Thomas Webſter*, praying an Allowance for Damages ſuſtained, in nurſing a Couple of *Indian* Boys, ſick of the Small-pox in his Houſe, was likewiſe preſented, read, and referred to further Conſideration.

The Houſe then reſuming the Conſideration of the Governor's Meſſage of Yeſterday,

Ordered, That Mr. *Leech*, Mr. *Pearne*, Mr. *Morton*, Mr. *Walker*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare and bring in a Draught of a Bill for ſtriking the additional Sum of *Fifty-five Thouſand Pounds*, to be given to the King's Uſe, and for making the ſame current within this Province.

Adjournment. Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem. The Committee appointed to bring in a Bill for ſtriking the Sum of *Fifty-five Thouſand Pounds*, the Remainder of the Sum of *One Hundred Thouſand Pounds*, granted to the King's Uſe, reported, they had eſſayed a Draught of ſaid Bill, which was delivered at the Table, read the firſt time, and ordered a ſecond Reading.

Ordered, That Mr. *Galloway*, Mr. *Maſters*, Mr. *Melvin*, Mr. *Morton*, Mr. *Weſt* and Mr. *Yorke* be a Committee to prepare an Anſwer to the Governor's Meſſage of Yeſterday; and that Mr. *Roberdeau* and Mr. *Baynton* be added to the ſaid Committee, to reviſe the Militia Bill, lately offered to the Governor, the Houſe having reſumed the Conſideration of ſaid Bill, with his Honour's Amendments thereon.

Then

Then the House adjourned to Ten o'Clock To-morrow Morning. 1757. *June* 9.

The Committee appointed to re-consider the Militia Bill, with the Governor's Amendments, reported, they had essayed some Alterations on the said Bill, and Amendments, which they delivered at the Table.

The Bill for striking the Sum of *Fifty-five Thousand Pounds*, the Remainder of the Sum of *One Hundred Thousand Pounds*, granted to the King's Use, and for making the same current within this Province, having been read the second time, was ordered to be transcribed for a third Reading.

Resolved, That Mr. *Fox* and Mr. *West* be, and they are hereby appointed to agree with a fit Person, to be employed as a Post, to pass regularly once a Week from this City to *Carlisle*, in *Cumberland* County, for the more certain Conveyance of Intelligence betwixt his Honour the Governor and the King's Troops, stationed in the said County.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait on the Governor, and request his Honour will be pleased to furnish the House with a Copy of the Minutes of the Conferences lately held at *Lancaster* with the *Indians* of the *Six Nations*; and likewise acquaint them with the present State of the Provincial Forces, from the last Returns made thereof by the Pay-Master.

Then the House adjourned to Five o'Clock, *P. M.* Adjournment *Post Meridiem*

The Members appointed to wait on the Governor with the Message of this Morning, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would send down to the House To-morrow a Copy of the Conferences requested, together with an Account of the present Number and State of the Provincial Forces.

A Petition from sundry of the Inhabitants of the City, praying to be appointed Signers of the *Fifty-five Thousand Pounds* to be emitted by Virtue of an Act for that Purpose, now under Consideration of the House, was presented to the House; and being read,

Resolved, That the said Petitioners be, and they are hereby appointed Signers of the said *Fifty-five Thousand Pounds*, Paper-Money, to be emitted and made current within this Province.

Ordered, That their Names be inserted in the Bill accordingly.

The Bill for striking *Fifty-five Thousand Pounds*, the Remainder of the Sum of *One Hundred Thousand Pounds*, granted by this Assembly to his Majesty's Use, and for making the same current within this Province, being transcribed, and read the third time,

Resolved, That the said Bill do pass.

Ordered, That Mr. *Pearne* and Mr. *Morton* wait upon the Governor therewith for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *June* 10.

The Members appointed to wait on the Governor with the Bill for striking *Fifty-five Thousand Pounds*, the Remainder of *One Hundred Thousand Pounds*, granted by this Assembly to the King's Use, for his Concurrence, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would immediately take it into Consideration, and give it all the Dispatch in his Power; and would also send down to the House, some Time this Forenoon, a List of the present Number of Provincials.

Ordered, That Mr. *Grubb* and Mr. *Hunt* wait on the Governor, and acquaint him, that the House incline to adjourn to the Afternoon, unless his Honour hath in Readiness to lay before them the Minutes of the late *Indian* Treaty, or the List of the Provincial Forces, as requested by their Message of Yesternight.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had delivered the same according to Order; and that his Honour was pleased to say, the Secretary should immediately wait on the House with a List of the Provincial Forces, and that he would send down a Copy of the Conferences, held at *Lancaster*, with the *Indians*, some Time in the Afternoon.

The Secretary brought down to the House an Account of the present State and Number of the Provincial Forces, with a verbal Message, that a Copy of the Minutes of the late *Indian* Treaty was making out, and should be laid before the House in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

A Petition from several Merchants of this City, concerned in the *Palatine* Trade, was presented to the House and read, setting forth, that they have suffered considerable Losses from a frequent Abuse of the Law, entituled, *An Act for the Relief of insolvent Debtors*; and praying the said Law may be re-considered by the House, and amended, in order that such Misapplication thereof, in Favour of Persons able, but not willing, to pay their just Debts, may be prevented.

Mr. Speaker brought into the House the Minutes of the *Indian* Treaty, held at *Lancaster*, together with an half-written Copy of the said Minutes, delivered him by the Secretary, who desired to have both returned as soon as read, that he might get the imperfect Copy finished for the Use of the House.

The

1757. *June* 10. The Minutes of the *Indian* Treaty having been read in the Houſe,

Ordered, That the Clerk do finiſh the imperfect Copy of ſaid Minutes, delivered by the Secretary, and return to him the Original.

Adjournment *June* 11. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Clerk having finiſhed and brought into the Houſe the half-written Copy of the *Indian* Treaty, the ſame was compared with its Original, and ordered to be immediately printed.

The Houſe then taking into Conſideration the Frauds complained of by the *Indians* at the ſaid Treaty, in the Proprietary Purchaſes of their Lands,

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Weſt* and Mr. *Yorke* be a Committee to examine the Minutes of Council reſpecting Proprietary Purchaſes of Lands from the *Indians*.

Ordered, That Mr. *Roberdeau* and Mr. *Weſt* wait on the Governor, and acquaint him, that the Houſe propoſe to adjourn till *Monday* next, if his Honour is not yet come to any Reſult upon the Bill for ſtriking *Fifty-five Thouſand Pounds, &c.* and has no other Buſineſs at preſent to lay before them.

The Members appointed to wait on the Governor with the above Meſſage, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he had nothing to lay before the Houſe at preſent which need prevent their propoſed Adjournment; but hoped he ſhould have ſome Matters in Readineſs for their Conſideration by *Monday* next.

Adjournment Then the Houſe adjourned to *Monday next*, at Five o'Clock in the Afternoon.

June 13. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Governor returned, by the Secretary, the Bill, entituled, *An Act for ſtriking the Sum of* Fifty-five Thouſand Pounds, *the Remainder of the Sum of* One Hundred Thouſand Pounds, *granted by this Aſſembly to the King's Uſe, and for making the ſame current within this Province*, with his Honour's Amendments thereon; which being read, the Houſe agreed to the ſaid Amendments, and ordered the Bill to be engroſſed accordingly.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

June 14. The Committee appointed to prepare an Anſwer to the Governor's Meſſage of the Sixth Inſtant, reported, they had eſſayed a Draught for that Purpoſe, which they delivered; and the ſame being read,

Ordered, That the ſaid Draught of an Anſwer to the Governor's Meſſage do lie on the Table for the Peruſal of the Members.

The Committee appointed to reviſe the Militia Bill, with the Governor's Amendments thereon, reported, they had re-conſidered the ſaid Bill and Amendments, and delivered to Mr. Speaker a Draught of ſuch of the Amendments as they agree to admit into the Bill; which being read, were ordered to lie on the Table, for the Conſideration of the Members.

Ordered, That Mr. *Pearne* and Mr. *Trimble* wait on the Governor, and acquaint him, that the Houſe admit of his Honour's Amendments on the Bill ſent down Yeſterday, and have ordered the ſaid Bill to be engroſſed accordingly, and ſhall be ready to attend the Governor at any Hour after Four this Afternoon that he may be pleaſed to appoint for enacting the ſame into a Law.

Adjournment Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem The Members appointed to wait on the Governor with the above Meſſage, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would, by a Meſſage, acquaint the Houſe at what Time it will be convenient to him to enact the ſaid Bill into a Law, and that he ſhould appoint two Members of Council to compare the ſame with the engroſſed Copy.

A Remonſtrance from a conſiderable Number of the Merchants of this City, was preſented to the Houſe; and being read, follows in theſe Words:

To the REPRESENTATIVES of the FREEMEN of the Province of *Pennſylvania*, in GENERAL ASSEMBLY met,

The REMONSTRANCE of the Merchants of the City of Philadelphia, *in Behalf of themſelves and others,*

Humbly ſheweth,

Remonſtrance of the Merchants of *Philadelphia*. THAT your Remonſtrants, ſenſibly affected at the unhappy and languiſhing Situation of the Trade and Commerce of the Province, under the inexpreſſible Diſtreſs of a long continued Embargo, beg Leave to repreſent their Aggrievance to your prudent Conſideration.

It would be vain in us to attempt particularly to deſcribe the preſſing Calamity of your Remonſtrants, and others the Merchants and Farmers of this Colony, occaſioned by this long Continuation of the Prohibitions on our Trade.—Words cannot expreſs, nor Thought conceive, the State of Adverſity to which the People of this Province muſt be neceſſarily reduced, unleſs this Cauſe be expeditiouſly removed.

Three

Three Months and more are now elapsed since this Prohibition has been laid in this Port; at the Beginning of which Period, your Remonstrants, and others, had large Quantities of perishable Commodities on board their Vessels, and in Store, which yet remain in their Hands: Near forty Sail of Vessels are in this Harbour, with full Cargoes of Provisions, and now ready to sail, and most of the Stores in the City filled with them, Part whereof is already perished, and the rest must inevitably share the same Fate, unless the Embargo shall be immediately taken off, and the Merchant have Liberty to export his Effects, to the inconceivable Detriment of your Remonstrants, the Discouragement of Trade, and the general Loss of the Province. 1757. *June* 14.

We beg Leave further to add, that by Letters from *Great-Britain* and *Ireland* we are informed our Fellow-Subjects in those Places are perishing for want of Provisions, while we abound with them here, spoiling in great Quantities on our Hands; and your Remonstrants are unhappily prohibited, though very desirous, from relieving the Necessities of their Mother Country, in a Time of the greatest Distress.

This Embargo, when first laid, was said to be for his Majesty's Service: Your Remonstrants, through a Sense of their Duty to the best of Kings, and a Resolution to give way to every Thing, however inconvenient, which should have the Aspect of assisting in the general Defence of *America*, chearfully submitted to it; but as we apprehend every Advantage that an Embargo could possibly produce, is already reaped from the present Prohibition, we cannot help complaining of a longer Continuation of it. If it was imposed in order to enable his Majesty's Commander in Chief to procure the necessary Seamen for the intended Expedition, they are now procured, and on board: If to procure Provisions for the King's Forces, not to mention that these Colonies, had this Measure not been taken, would have been always capable of supplying them, those Provisions are, or might have been, purchased long before this Time: If to keep the Design of the intended Expedition secret, we are surprised to see a Number of Vessels permitted to sail, while the Prohibition is in Force as to others; and the Ports of *Maryland* and *Virginia* open, while the Ports of *Pennsylvania*, *New-Jersey* and *New-York* are shut up.

Upon the Whole, we humbly apprehend, the Embargo, as it is now circumstanced, is partial, and that a longer Continuation of it can answer no good Purpose whatsoever, but will occasion the Loss of great Quantities of Provisions already manufactured, discourage the Commerce of the City, impoverish the Colony, and starve the People of our Mother Country, who, we have Reason to believe, are under the most distressing Circumstances for want of Supplies.

Wherefore we humbly address our Representatives, that taking this insupportable Burden on the Trade of the Province into their prudent Consideration, they will make use of every Measure in their Power, to relieve us from this unnecessary and distressing Prohibition. And your Remonstrants, *&c.*"

The House taking the said Remonstrance into Consideration,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Masters*, Mr. *Walker*, Mr. *Gibbons*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare an Address to the Governor, for taking off the Embargo on the Trade of this Port.

The Petition of *Peter Peters*, setting forth, and complaining against, the oppressive and unjust Proceedings of *William Moore*, Esq; of *Chester* County, was presented to the House, read, and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to draw up and bring in an Address to the Governor, for taking off the Embargo, reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read and amended, was ordered to be transcribed. *June* 15.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The Clerk having brought in a fair Transcript of the Address to the Governor, for removing the Embargo, the same was again read, and follows in these Words: *Post Meridiem*

To the Honourable *WILLIAM DENNY*, Esq; Lieutenant Governor of the Province of *Pennsylvania*,

The REMONSTRANCE of the Representatives of the Freemen of the said Province, in General Assembly met.

May it please your HONOUR,

THE House being acquainted, as well by an Application from the Merchants of this City, as from their own Knowledge, with the languishing Condition of the Trade and Commerce of the Province, occasioned by the long Continuance of the present Embargo, beg Leave to lay this inexpressible Grievance before the Governor, and to insist on the Removal of so great a Mischief. Assembly's Remonstrance to the Governor, relateing to the Embargo.

It is now three Months and more since this Prohibition was laid on this Port, and

1757. *June* 15. almoſt a total Stagnation of the Trade and Commerce of the Province has enſued: And notwithſtanding we conceived it to be illegally laid, and the Merchants had at that Time conſiderable Quantities of periſhable Commodities on board their Veſſels, and in Stores, and the Millers and Farmers much greater manufactured, and ready for Market; yet, as we apprehended it was laid with a Deſign to promote his Majeſty's Service, and the general Defence of *America*, and that it would be of a ſhort Duration, we were content to ſubmit to the Inconveniency, however great and diſtreſſing it might prove, until the good End intended by it ſhould be fully anſwered: But as the Fleet has been long ſince ſupplied with the neceſſary Seamen, and all the Proviſions they ſtood in Need of provided, we cannot ſee the Reaſon or Neceſſity of continuing a Prohibition, which your Honour muſt be ſenſible has already greatly diſtreſſed the Inhabitants, and muſt in a little Time totally ruin the Trade and Commerce of the Province.

We intreat your Honour to conſider how the Province, under the dreadful Calamities of an *Indian* and *French* War, the Loſs of a Number of its Inhabitants, and the heavy Burden of Taxes, neceſſarily impoſed for the Defence of a long extended Frontier, can be able to ſupport itſelf, much leſs pay her Debts to her Mother Country, and grant Aids to his Majeſty, ſhould the People be longer debarred from the Benefits of Trade.

As a further Motive to prevail on your Honour to relieve this diſtreſſed Community from its preſent unhappy Situation, we beg Leave to repreſent, that the Merchants of this City, at the Time this Embargo was laid, had large Quantities of periſhable Commodities on Hand, and have now near forty Veſſels ready to ſail with Cargoes of Proviſions, a conſiderable Part whereof is already periſhed, other Parts damaged, and the Remainder muſt ſoon be in the ſame Condition, unleſs the Prohibition be immediately taken off.

Alſo, that we are further credibly informed, by Letters from *Great-Britain*, *Ireland*, and the *Weſt-Indies*, that in thoſe Places the People are in the utmoſt Want of the Neceſſaries of Life, while we abound with them here, and our Bread, Flour and other Proviſions ſpoiling on the Hands of the Merchants, who are prohibited from relieving the Neceſſities of their Fellow-Subjects in the greateſt Diſtreſs.

We hope your Honour, after this impartial Repreſentation of the Circumſtances of this Colony, will not think of continuing this Prohibition any longer, had you a Right to impoſe it; eſpecially as the Embargo is taken off in *New-England*, *Maryland* and *Virginia*, and the Continuance of it here can anſwer no good Purpoſe whatſoever. But when the Governor duly weighs the Extent of his Authority by the Laws of *England*, the Royal Grant, and the Laws of this Province, by which his Power, and the People's Rights, ought to be determined, we conceive he will join in Opinion with us, that this Embargo was illegally laid.

And that his Majeſty and Miniſtry are of Opinion, that the laying of Embargoes, without the Aſſiſtance of the Legiſlature, is illegal and unwarrantable, appears clear from ſundry of their Inſtructions to your Honour and your Predeceſſors, in commanding you to recommend it to your Aſſemblies to lay ſuch Reſtrictions. Had you the Power, independent of this Branch of the Legiſlature, theſe Inſtructions would be unneceſſary. And the Parliament of our Mother Country appears to be of the ſame Sentiments, by paſſing an Act to limit our Trade to ſuch Places as they conceive the preſent State of Affairs requires, who, we preſume, are the beſt Judges of the Neceſſity and Manner of ſuch Prohibitions.

Upon the Whole, we apprehend a People cannot be ſaid to be free, nor in the Poſſeſſion of their Rights and Properties, when their Rulers ſhall, by their ſole Authority, even during the Sitting of their Aſſemblies, ſtop the Circulation of their Commerce, diſcourage the Labour and Induſtry of the People, and reduce the Province to the greateſt Diſtreſs.

To conclude, we preſented to your Honour ſuch a Bill as, in our Opinion, would have effectually prevented the Supplying the Enemy with Proviſions in the Time of War, with the leaſt Injury to the People, which your Honour was pleaſed to refuſe your Aſſent to; but inſtead thereof, during that Sitting, ſhut up our Port by a general Embargo, which has been, as we conceive, unneceſſarily continued, till the Province and its Commerce are reduced to the greateſt Extremity. And therefore we think it our indiſpenſable Duty, and do inſiſt upon it, in the warmeſt Manner, that you do immediately take off the Prohibition, and ſave the Country from that Diſtreſs and Ruin which muſt otherwiſe attend it."

And the ſaid Addreſs being ſigned by Mr. Speaker,

Ordered, That the whole Committee appointed to prepare the ſaid Addreſs, do preſent the ſame to the Governor.

Ordered, That the Clerk make out a fair Tranſcript of ſuch of the Governor's Amendments on the Militia Bill as have been admitted by the Committee.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

June 16. The Committee appointed to wait on the Governor with the Addreſs of Yeſterday, reported,

reported, they had read and delivered the same according to Order; and that his Honour was pleased to say, he would consider it, and acquaint the House with his Result thereon at a proper Time. 1757. *June* 16.

It being moved, that a considerable Number of the *French* Neutrals, dispersed in the several Counties and Townships of this Province, are reduced, through many of their young People's having lately had, and still having, the Small-Pox amongst them, to very great Distress, and even the Want of common Necessaries;

Resolved, That this House are of Opinion, and do appoint, with the Assent of the Governor, that the Sums already advanced by the several Townships respectively, for Support of the said Neutral *French* residing therein, be paid by the Provincial Commissioners, out of the *One Hundred Thousand Pounds* lately granted to the King's Use; and that the further Expence hereafter necessarily accruing from the Maintenance of the said People, till they can better provide for their Subsistence, be likewise defrayed by the said Commissioners out of the public Money aforesaid.

The Clerk having brought in a fair Transcript of such of the Governor's Amendments on the Militia Bill as had been admitted by the Committee appointed to reconsider the said Bill and Amendments, the same were again read, and agreed to by the House, and being signed by Mr. Speaker,

Ordered, That Mr. *Morton* and Mr. *Trimble* wait on the Governor with the said Bill, and desire he will pass the same, agreeable to the Amendments now sent up; and that his Honour will likewise be pleased to acquaint the House when they shall wait on him with the Bill for striking *Fifty-five Thousand Pounds*, &c. to which the Governor has given his Assent, in order to enact it into a Law, the said Bill being engrossed for that Purpose.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment *Post Meridiem*

The Governor sent down a Message by the Secretary, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I SHALL forward your Remonstrance, presented to me last Night, by Express to Lord *Loudoun*, the Embargo having been laid at his Lordship's Instance, in Consequence of his Majesty's positive Orders, as will appear by his Lordship's Letters, which I have from Time to Time laid before you. A Message from the Governor to the Assembly.

'I am sensible of the great Distress that the Merchants and Farmers must be under, by the long Continuance of this Embargo, and hope the King's Affairs may permit his Lordship to hearken to my Application for their Relief.

'You will please to send an Answer to my Message of the Sixth Instant, in which I communicated his Lordship's Demands, and those of the Secretary of State, that it may be forwarded by the Express, as I cannot, with Decency, write to my Lord *Loudoun*, without letting him know your Resolutions on those Demands.

June 16, 1757. *WILLIAM DENNY*."

The Members appointed to wait on the Governor with the Militia Bill, and such of his Honour's Amendments thereon as the House admit into the said Bill, reported, they had delivered the same according to Order; and that the Governor was pleased to make no Answer to them on that Head, but said he would attend in the Council Chamber at Twelve o'Clock To-morrow, to enact the Bill for striking *Fifty-five Thousand Pounds*, &c. into a Law.

The House then resumed the Consideration of their Answer to the Governor's Message of the Sixth Instant, and having made some Alterations therein, ordered the same to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

June 17.

The Answer to the Governor's Message of the Sixth Instant, being transcribed, according to Order, the same was read, and agreed to, and follows in these Words, *viz.*

May it please your HONOUR,

THE two Letters which you was pleased to lay before us, from the Secretary of State, dated the Fourth and Nineteenth of *February* last, appear to us circular Letters, which must be liable to the different Abilities of the several Colonies, and the Situation of their Frontiers, and were dated before the large Grant this Assembly has lately made to the Crown, as well for the Defence of the Province, as to act offensively against the common Enemy. The very late Settlement of this Province, compared with most of the other Colonies, and the Circumstances of the People, well known to us, and to which your Honour cannot be wholly a Stranger, added to the present Distress of a long continued Embargo, and the heavy Expence of defending our long extended Frontiers, which in a great Measure cover several others of his Majesty's Colonies, must convince your Honour, that the Aid already granted, and the Men directed by Law to be raised A Message to the Governor from the Assembly.

and

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and ſupported, are more than our Proportion, and a Burden almoſt too heavy for this young Colony to bear; and however your Honour may judge it, your Duty to lay thoſe Letters before us, we make no Doubt the Sums we have already ſo chearfully given, will fully demonſtrate our Loyalty and Affection to the beſt of Sovereigns, and evidently ſhew how deſirous we are in this Time of War to afford the utmoſt Protection our Circumſtances would admit of, to the People we repreſent. We preſume nothing further is expected from us, "than that we would raiſe as large a Number of Provincial Troops "as might be, for the Service of the preſent Campaign;" and this was fully and chearfully complied with by us at our laſt Sitting, as we apprehend, to the Satisfaction of the Governor, as well as his Excellency the Earl of *Loudoun*, who was in the Province at the Time your Honour was pleaſed, after long Deliberation, to give your Aſſent to that Bill, which had been clogged and delayed for a conſiderable Time, by the unreaſonable Limitations of the moſt arbitrary and unconſtitutional Proprietary Inſtructions.

Your Honour is pleaſed to inform us, "That his Lordſhip, after expreſſing his "Concern for the Dangers to which this Province ſtands expoſed for want of a Militia "Law, deſires you would apply to us, in the moſt preſſing Terms, to raiſe at leaſt Five "Hundred Men, to be added to the Provincial Forces." We cannot doubt, from his Excellency's Activity and Conduct in his Station, of his Concern at the Danger this as well as the other Colonies are expoſed to; and have Reaſon to apprehend, from his known Juſtice, that had he duly weighed the large Sum of Money already granted by us to his Majeſty, and been fully acquainted with the Circumſtances of the Province, he would have waved preſſing us at this Time for an additional Number of Forces. But it ſeems the Reaſon of his Lordſhip's Requeſt is, "the Want of a Militia Law." To which we beg Leave to anſwer: If the Province is more expoſed, through the Want of ſuch a Law, this Branch of the Legiſlature have nothing to charge themſelves with on that Account. At our laſt Sitting we prepared and offered a Bill for forming and regulating the Militia of this Province, which you ſent down with conſiderable Amendments; theſe Amendments, and the Bill itſelf, have been reconſidered, and lie now before your Honour for your Aſſent; and whenever you ſhall think fit to enact the Bill into a Law, we do not doubt it will prove well adapted to our Circumſtances, and the Defence of this Province. In your late Meſſage, now before us, you are pleaſed to ſay, that "the Bill, in ſome "Particulars of great Conſequence, is even more anti-conſtitutional than that which "was repealed by the King in Council laſt Year." But if the Bill was ſo anti-conſtitutional, we conceive, the Governor, from the Duty he owes to the Crown, and that Regard which is due to the People he governs, would have thought it incumbent upon him to point out thoſe "Particulars," which he has not done; and therefore cannot expect we ſhould attempt to anſwer them, as we conceive this Aſſertion is without any juſt Foundation.

Had the Bill been framed with the ſame Spirit that the Amendments thereto were made, we think it might, with Juſtice, be ſaid, that it was truly "anti-conſtitutional." To prove this, a little Attention to one of the many Amendments is ſufficient. We know of no Law or Principle in our Mother, or our own, Conſtitution, that has the Appearance of, or can juſtify the "ſubjecting" the Freemen of a whole Community "to all ſuch Articles of War, Rules, Regulations, Puniſhments and Trials," in Caſe of any Neglect or Breach of Duty, as are impoſed on the mercenary Troops of the Crown; nor do we believe there ever will be, while the *Britiſh* Conſtitution remains free from the Yoke of Oppreſſion.

Your Honour is pleaſed to think, that "the Government of the Lower Counties has "ſet a good Example," in their Militia Law. What ſhould create ſuch a Fondneſs in the Governor for a Law ſo generally comdemned, and that has occaſioned ſo much Diſtreſs and Perſecution among the People, we are at a Loſs to determine, unleſs it be the favourite Clauſe, which inveſts him with the Power of "making and eſtabliſhing ſuch "Rules and Articles for the Regulation of the Militia as he may judge expedient?" By which Means the Liberties and Properties of the People are ſubject to his Orders, and dependent on his Pleaſure. The Governor may think this a conſtitutional Law, and worthy our Imitation; but we apprehend he will have a difficult Taſk to perſuade a free People to concur in Sentiments with him.

And ſince the Governor is pleaſed to recommend one Example of the Lower Counties to our Imitation, we beg Leave to enquire, why he has not ſolicited us to tread in their Steps in another? Had we followed the Example of that Government, we ſhould have granted but few Aids to his Majeſty, and by no Means contributed to our own, or their, Protection, who are almoſt entirely covered and defended by the Frontiers and military Force of this Province. To what Cauſe the Neglect of that Government is owing, in not contributing their Proportion of Supplies, in this Time of general Danger, when every other Colony in *America* is groaning under the Burden of their Taxes, we ſhall leave others to determine; but certain it is, that thoſe, whoſe Duty it was to ſolicit them, or thoſe who had the Power of granting them, will be anſwerable to his Majeſty,

for

for this extraordinary Omiſſion of their Duty to their King, and the common Intereſt of the Colonies; which we preſume cannot eſcape the Notice of the King's Miniſters much longer, however careful the Governor and Aſſemblies of thoſe Counties may have been to keep their Tranſactions from the public View, and thereby load us with their Defect, as that Government may be accounted a Part of this Province, though entirely independent, and under a diſtinct Legiſlature. On the contrary, our Conduct has been ſuch, that inſtead of dreading the "Obſervations the King's Miniſters," or his Parliaments, will make thereon, we have determined, that all our public Tranſactions ſhall be faithfully and impartially laid before them. 1757. June 17.

Your Honour has never been pleaſed to inform us till now, "that you had ſtipulated "with Lord *Loudoun*, and the Governors of the Southern Colonies, when at this City, "that Two Hundred of our Provincial Troops ſhould be ſent to *South-Carolina*, for "the Defence of that Province," though the Aſſembly continued ſitting long after the Date of that Agreement. This, in a Matter of ſo great Importance, is ſurpriſing to us, eſpecially when we conſider, that near three Months are elapſed ſince you entered into that Engagement. If the Governor was determined to comply with it, to what could this Omiſſion be owing? We cannot reaſonably preſume, that it was from a Conception, that he had the Power of ſending that Number of Troops out of the Province, without the Aid of this Part of the Legiſlature. Had he attended to the Bill which was then before him, and afterwards paſſed into a Law, he could not have entertained ſuch an Opinion. The Law enacts, that Three Hundred of the Men ſhall be employed in Garriſon, and the remaining Eleven Hundred in ranging and ſcouting Parties, for the Protection of our Frontier Inhabitants. The Commiſſioners Power, in the Diſpoſition of the Money granted for their Support, was limited to theſe Uſes; nor could they legally have aſſented to defray the Expences of that Engagement, without a Law for that Purpoſe. The Governor, it ſeems, had entered into the Engagement, and determined to fulfil it by Virtue of his Authority only: But he is pleaſed to inform us, that, to his great Concern, "it has not been in his Power to comply with it;——the Term being "lately expired for which the Provincials were enliſted, and they, diſcouraged from "not regularly receiving their Pay, refuſed to continue in the Service, and went off in "ſo great Numbers, as to leave the Frontier in a very weak and defenceleſs Situation." To whom the Diſcouragement complained of is owing, will readily appear to thoſe who know that Supplies were timely offered, and rejected by the Governor; and that it is now near Three Months ſince the other Supplies were accepted, and Meaſures might have been taken to recruit the Battalions as the Terms of the Mens Enliſtment expired. —— We have Reaſon to believe, had the Officers been appointed for their Merits only, and recruiting Orders been given at the Time they ought to have been, when the Governor had all the Means in his Hands, the Battalions would never have been greatly defective, but before this Time complete; the Frontier Inhabitants might have received that Protection which the Law intended, and the Engagement entered into with his Lordſhip eaſily complied with, had the Governor, at the Time he entered into it, thought it a Matter worth communicating to the Aſſembly then ſitting, and obtained their Aid on this Occaſion, which they were ready to have granted. And we cannot help being "concerned, when we reflect what Obſervations his Lordſhip, and the King's Miniſters, "will make on the Conduct" of thoſe, who have ſhewn ſuch a Diſregard to his Majeſty's Service, eſpecially ſhould the Province of *South-Carolina* be loſt for Want of the Succour ſtipulated; notwithſtanding we find, by his Lordſhip's Letter, that the Blame has been thrown, by ſome Perſon, on thoſe who were Strangers to the Engagement.

Upon the Whole, we aſſure the Governor, we are ſincerely diſpoſed, notwithſtanding the extraordinary Diſtreſſes of the Province, and the large Number of Men that are neceſſary for our Protection, to aid and aſſiſt the neighbouring Provinces as far as our Abilities will extend. —— We do heartily approve of this Meaſure, are ſorry a Matter of ſo much Importance, a Matter ſo neceſſary for the Defence of *South-Carolina*, and the general Service, ſhould be ſo long delayed,——and are ready to concur with him, if it is not now too late, to anſwer the End propoſed, in enacting a Law which may enable him to fulfil that Engagement with his Lordſhip.

What the Governor intended we ſhould underſtand from the Paragraph in his Meſſage on *Indian* Affairs, we cannot readily conceive. We hope he does not deſign to divert the Province from proſecuting the Enquiry into the *Indian* Complaints, and aſſiſting in ſettling that Peace, which is ſo neceſſary to the Tranquillity of the Province, and conciliating the Minds of the Natives to the *Britiſh* Intereſt; eſpecially when it is done in the Preſence, and under the Direction of the Deputy of the King's Agent. If this is not the Deſign, as we hope it is not, we are ſorry he ſhould take a Pleaſure in publiſhing a Reflection on the People of this Province, which he muſt be convinced, on a little Conſideration, they do not deſerve. The People of this Province did never, that we know of, interfere "with his Majeſty's Prerogative of making Peace and War." Their known Duty and Loyalty to his Majeſty, notwithſtanding the Pains taken to miſ-

1757. *June* 17. represent their Actions, forbid ſuch an Attempt. But as it is rendered beyond Contradiction plain, from the Enquiries made by your Honour, that the Cauſe of the preſent *Indian* Incurſions on this Province, and the dreadful Calamities many of the Inhabitants have ſuffered, have ariſen, in great Meaſure, from the exorbitant and unreaſonable Purchaſes made, or ſuppoſed to be made, of the *Indians*, and the Manner of making them;——ſo exorbitant, that the Natives complain they have not a Country left to hunt or ſubſiſt in. If to requeſt the Governor, the King's Repreſentative in this Province, aſſiſted by the Deputy of Sir *William Johnſon*, to enquire into theſe Complaints, which aroſe entirely from the Tranſactions of Perſons within this Government, that they may be impartially laid before his Majeſty; Complaints, in the Redreſſing of which our Lives, Liberties and Fortunes are deeply intereſted; we ſay, if this is "interfering "with his Majeſty's Prerogative," or diſobeying his Commands, then the Governor's Cenſure is juſt; if not, it muſt appear without Foundation. And we are ſo far from being inclinable, was it in our Power, to infringe on the Rights of the Crown, that, on the contrary, we ſhall think it happy for ourſelves and our Poſterity, if, in this Time of Diſtreſs, we can guard againſt the many Attempts on the People's Rights and Liberties, and preſerve to the Conſtitution thoſe Principles of Freedom, on which it was originally founded.

Before we conclude, we beg Leave to repreſent to your Honour the unhappy Situation of our Frontier Inhabitants, whoſe Diſtreſſes, as we apprehend, ariſe principally from the Want of a due Exertion of the Military Force of the Government. The recruiting Service has been too much neglected, whereby the Number in each Battalion has not been kept up; the Troops have been detained in the Forts, and not obliged to range and hunt after the Enemy, as the Law directs, while they have come in between them, deſtroyed the Inhabitants, and returned unmoleſted. Perſons are put into Offices, and receive their full Pay, who are permitted to follow other Avocations; by which Means the Public is deprived of their Service, and the People ſuffer. —— The Execution of the Law ſeems to us the only Method of affording the People that Protection they are entitled to: Wherefore, we entreat the Governor to give Orders that the Battalions be recruited as ſoon as poſſible, and that the Men be obliged to range the Frontiers in the Manner which ſhall conduce moſt to the repelling the Enemy, and the Security of the People, otherwiſe the good Deſign of granting the Supplies will be fruſtrated, and the Province left unprotected.

We agree with the Governor, in thinking that the Eſtabliſhment of a Poſt from the Weſtern Frontier will be for his Majeſty's Service; and have appointed two of our Members to agree with a ſuitable Perſon for that Purpoſe.

June 17, 1757. *Signed, by Order of the Houſe,*
ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Roberdeau* and Mr. *Weſt* wait upon the Governor, and deliver the foregoing Meſſage.

The Houſe being acquainted that two of the Members of Council were attending in the Council Chamber, to join with two of the Members of the Houſe in comparing the Bill for ſtriking *Fifty-five Thouſand Pounds*, &c.

Ordered, That Mr. *Pearne* and Mr. *Walker* meet the Members of Council, to compare the ſaid engroſſed Bill with its Original.

The Gentlemen appointed to join with the Members of Council in comparing the engroſſed Bill, reported, they had done the ſame, and found them to agree.

A Meſſage by Mr. Secretary:

"*SIR*,

"The Governor requires the Attendance of the Speaker and the Houſe immediately in "the Council Chamber."

Then Mr. Speaker, with the whole Houſe, waited on the Governor, and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act for ſtriking* Fifty-five Thouſand Pounds, *the Remainder of the Sum of* One Hundred Thouſand Pounds, *granted by this Aſſembly to the King's Uſe, and for making the ſame current within this Province*; to which the Governor was pleaſed to give his Aſſent, by enacting the ſame into a Law.

Ordered, That Mr. *Pearne* and Mr. *Walker* do ſee the Great Seal affixed to the ſaid Law, and the ſame depoſited in the Rolls Office.

The Members appointed to wait on the Governor with the Anſwer of the Houſe to his Honour's Meſſage of the Sixth Inſtant, reported, they had delivered the ſame according to Order.

Adjournment Then the Houſe adjourned to Four o'Clock *P. M.*

Poſt Meridiem The Members appointed to ſee the Great Seal affixed to the Law, entituled, *An Act for ſtriking* Fifty-five Thouſand Pounds, *&c.* and the ſaid Law depoſited in the Rolls Office, reported, they had done the ſame according to the Order of the Houſe.

A Petition

A Petition from *Richard Hill* and *Samuel Preſton Moore* was preſented to the Houſe and read, praying Leave to bring in a Bill to enable them to make a ſufficient and legal Title to certain Lands and Lots in this Province and City, ſold and leaſed by *Richard Hill*, junior (Son and Brother-in-Law to the Petitioners) who died before the ſeveral Purchaſers and Leſſees of the ſaid Lands and Lots had obtained Deeds or full Titles to the ſame. 1757. *June* 17.

Reſolved, That the ſaid Petitioners have Leave to bring in a Bill at the next Sitting of Aſſembly for the Purpoſes expreſſed in their Petition, and that the Clerk give them Notice thereof.

The Governor ſent down a Meſſage to the Houſe by the Secretary, which was read, and is as follows, *viz.*

GENTLEMEN,

'WHEN the Forces ſhall be complete, in order to engage a Number of them to go to *South-Carolina*, it will be neceſſary to offer an handſome Bounty, in which, as well as their Tranſportation, and the other Expences attending my Stipulation with Lord *Loudoun*, I ſhall depend on your Aſſiſtance, and deſire you will prepare a Bill immediately for that Purpoſe, in which I ſhall very chearfully concur with you. A Meſſage from the Governor to the Aſſembly.

'I have not Time at preſent to take Notice of the other Parts of your Meſſage.

June 17, 1757. *WILLIAM DENNY*."

The Houſe taking into their immediate Conſideration the Governor's Requeſt in the above Meſſage,

Ordered, That Mr. *Leech*, Mr. *Maſters*, Mr. *Weſt* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for the Purpoſe mentioned in the Governor's ſaid Meſſage.

The Committee appointed to prepare a Bill for impowering the Governor to detach from the Forces of this Province Two Hundred Men, and tranſport the ſame to *South-Carolina*, for the Defence of that Colony, reported, they had eſſayed a Draught of a Bill for that Purpoſe, which was delivered at the Table, read the firſt time, and ordered a ſecond Reading.

Then the Houſe adjourned to Eight o'Clock To-morrow Morning. Adjournment

The Bill entituled, *An Act impowering the Governor to diſcharge his Part of the Operations of this Campaign, ſtipulated in Behalf of this Province between his Excellency* John *Earl of* Loudoun, *and the Governors of the Southern Colonies*, was read a ſecond time, and ordered to be tranſcribed. *June* 18.

Then the Houſe adjourned for one Hour.

The Houſe met, and the Bill for impowering the Governor to diſcharge his Part of the Operations of this Campaign, *&c.* being tranſcribed, the ſame was read the third time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Morton* and Mr. *Yorke* wait upon the Governor therewith for his Aſſent to the ſame, and requeſt his Honour will be pleaſed to paſs the ſaid Bill, if poſſible, this Day, as the Houſe have no Matters of Conſequence at preſent before them, and incline to adjourn to the Eighth Day of *Auguſt* next (the Time to which they ſtood adjourned at the Cloſe of their laſt Seſſion) unleſs the Governor hath further Buſineſs to lay before them, which may require their immediate Conſideration.

The Members appointed to wait on the Governor with the aforeſaid Bill and Meſſage from the Houſe, reported, they had delivered the ſame according to Order; and that his Honour being then in Council, deſired the Members would wait till the ſaid Bill could be read before them; and then returning to them with it, was pleaſed to ſay, he would attend in the Council Chamber at Four o'Clock this Afternoon, to enact the ſame into a Law, provided the Houſe would admit one ſhort Amendment thereon, *viz.* inſtead of the Words [*Officers included*] to ſay [*excluſive of Officers.*]

The Houſe taking the Governor's propoſed Amendment into Conſideration, reſolved that the ſame be admitted, and ordered the Bill to be engroſſed accordingly.

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The engroſſed Bill being brought in and compared,

Ordered, That Mr. *Baynton* and Mr. *Weſt* meet two of the Members of Council, to collate the engroſſed Bill with the Bill to which the Governor had given his Aſſent.

The ſaid Members returned, and reported, that they had met two Members of Council with the ſaid Bills, and found them to agree.

A Meſſage by the Secretary:

SIR,

" The Governor requeſts the Attendance of the Speaker and the Houſe in the Council " Chamber immediately."

At

1757. *June* 18. At the ſame Time the Secretary delivered a written Meſſage from the Governor, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'MY Time has been ſo taken up in preparing Diſpatches to the Earl of *Loudoun*, repreſenting to his Lordſhip the Diſtreſſes of this Province, occaſioned by the long Continuance of the Embargo, and other Matters of a public Nature, that I have not had Time to conſider the Militia Bill, laid before me on *Thurſday* laſt, with the Attention that is due to a Bill of ſo great Importance; I am therefore under the Neceſſity of deſiring that you will not adjourn this Evening, as I was informed by two of your Members you intended; and I hope to be able to return you my Anſwer to that Bill on *Monday* next.

June 18, 1757. *WILLIAM DENNY.*"

Then Mr. Speaker, with the whole Houſe, attended his Honour in the Council Chamber, and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act impowering the Governor to diſcharge his Part of the Operations of this Campaign, ſtipulated in Behalf of this Province between his Excellency* John *Earl of* Loudoun, *and the Governors of the Southern Colonies*; to which the Governor had been pleaſed to give his Aſſent, by enacting the ſame into a Law.

Ordered, That Mr. *Fox* and Mr. *Leech* do ſee the Great Seal affixed to the ſaid Law, and the ſame depoſited in the Rolls Office.

Adjournment. Then the Houſe adjourned to *Tueſday* next, at Three o'Clock in the Afternoon.

June 21. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem. *Ordered*, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor, and acquaint him, that in Purſuance of his Honour's Meſſage on *Saturday* Evening, the Houſe are again met, in order to conſider any further Buſineſs the Governor may be pleaſed to lay before them.

The Members appointed to ſee the Great Seal affixed to the *Act impowering the Governor to diſcharge his Part of the Operations of this Campaign*, &c. and the ſaid Act depoſited in the Rolls Office, reported, they had done the ſame according to Order.

The Gentlemen appointed to wait on the Governor with the above Meſſage, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he was not yet prepared to lay any further Buſineſs before the Houſe, but hoped he ſhould in the Morning have ſome Matters for their Conſideration; and upon being aſked at what Hour To-morrow the Houſe might expect them, he ſaid he did not know, as the Council muſt be called before a Meſſage could be ſent to the Houſe.

Adjournment. Then the Houſe adjourned to Eleven o'Clock To-morrow Morning.

June 22. *Ordered*, That Mr. *Galloway* and Mr. *Weſt* wait on the Governor, and acquaint him, that the Houſe are again met, in order to conſider any Buſineſs he may have in Readineſs to lay before them.

The Gentlemen appointed to wait on the Governor with the above Meſſage, reported, they had ſet out for that Purpoſe, but on their Way they met the Secretary coming to the Houſe with a Meſſage from his Honour.

The Governor ſent down a written Meſſage by the Secretary, who alſo delivered ſundry Papers referred to therein, and acquainted the Houſe, that what other Matters his Honour had for their Conſideration, would be laid before them at Three o'Clock in the Afternoon preciſely. The Governor's Meſſage being read, follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THE Matter ſet forth in the Memorial of Sir *John St. Clair*, Deputy Quarter-maſter General, is of ſo much Conſequence to his Majeſty's Service, and the Eaſe of the People of this Province, who may be diſtreſſed by a Body of Troops halting, and heavily quartered upon, in Caſe the Baggage Waggons are ſtopped by the Badneſs of the Roads: I therefore recommend to you to take this immediately into your Conſideration, and prepare a Bill to ſupply the Defects of the Laws now in Force for the Repair of Roads and Highways, ſo that they may be widened and mended while the Seaſon permits.

June 22, 1757. *WILLIAM DENNY.*"

The Papers delivered by the Secretary with the above Meſſage, were ſeverally dated and entituled as follow, *viz.*

1. *The Memorial of Sir* John St. Clair, *Baronet, Deputy Quarter-maſter General of all his Majeſty's Forces in* North-America, June 21, 1757.

2. *A Letter to the Governor from* Timothy Horſefield, *Eſq*; June 19, 1757.

3. *A*

3. *A Letter to the Governor from Major* Parsons, June 19, 1757.
4. *A Letter to Major* Parsons *from Lieutenant* Jacob Orndt, June 18, 1757.

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Which were read, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Governor sent down, by the Secretary, the Bill for forming and regulating the Militia of this Province, with a verbal Message, that his Honour adhered to his Amendments on the said Bill. The Secretary also acquainted the House, that the Governor had not yet heard from Lord *Loudoun*, in relation to the Embargo, but expected it every Hour, having spoke with a Gentleman just from *York*, who was informed by his Lordship, that the Governor would have received his Answer to that Business, by Express, before the said Gentleman got to *Philadelphia*; but upon Enquiry after the said Express, it could not be found that he was yet arrived. With the above Bill the Secretary likewise delivered a Message from the Governor, which was read, and follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'THE first Part of your Message containing nothing more than Excuses, why you will not comply with the Demands made on this Province by his Majesty, in the Letters of the Secretary of State and my Lord *Loudoun*, to raise an additional Number of Forces; I shall therefore take no further Notice of it than to inform you, that I have already transmitted your Message to his Lordship, and shall take the first Opportunity of sending it to the King's Ministers, who will judge how well those Excuses are founded.

'It is evident that Lord *Loudoun* is not satisfied with what has been already done by this Province, as you suppose, or he would not have demanded the Raising of an additional Five Hundred Men: A Demand founded in the highest Wisdom and Prudence, since, having no Militia, these extended Frontiers should not be left exposed to different Attacks, and the doubtful Events and Chances of War.

'I was in Hopes a Nobleman of his Lordship's distinguished Merit and Abilities, in whom his Majesty has reposed so high a Confidence and Trust, would have escaped your Censures. Whoever knows his Lordship's indefatigable Industry, and Application to Business, and the strict Attention he gives to the Conduct of this and the other Colonies, must clearly be convinced of the Injustice of your Insinuation, that his pressing you for an additional Number of Forces is owing to the Want of duly weighing the large Sum of Money already granted, and his Lordship's Ignorance of the Circumstances of this Province.

'It will be endless to enter into a Dispute about the Militia Bill. How far it was at first, or is, with the Alterations since made, adapted to the Circumstances and Defence of the Province, must be submitted to our Superiors to determine. I shall only mention two Things; First, That the late Bill which passed the House of Commons, subjected the Militia, in Time of Insurrection or Invasion, to the Penalties of Death, or such other Judgment as a Court-martial should inflict.

'Secondly, That the Law, repealed by his Majesty, constituted a Court-martial for the Trial of Offenders, which the Bill before me has not done; not to mention the loose Manner and pernicious Consequences of giving Liberties to evil disposed Persons of pretending they are actual Members of certain Congregations, when they are not; and only declare themselves so occasionally, in order to avoid defending their Country, which good and loyal Subjects are always ready to do. — By which Conduct the best and bravest of the People will be obliged to expose their Persons for the Defence and Protection of the Whole, and even of the worst.

'For the above weighty Reasons, I cannot withdraw any of my Amendments, and am obliged to reject your Militia Bill, as being injurious to the equal Privileges of the People, as well as inconsistent with the just Rights of Government, the Safety and Security of the Province, and our Duty to his Majesty.

'I am sorry you do not think the Militia Act of the Lower Counties worthy your Imitation. It is certainly thought a good one by the Lords of Trade, who have rejected a warm Application made against it; whereas the old Law of this Province was repealed on their Lordships Report by the King in Council, and your present Bill is worse than that Law, and liable to more Objections.

'In Answer to your Charge of Partiality in Favour of the Lower Counties, I would observe, that, before my Arrival, it is well known they gave, for the King's Use, as much as their Circumstances would permit; and no Doubt they would have, since that, shewn the same Spirit of Loyalty and Duty to his Majesty, if an Opportunity had been given them. But your Sitting prevented the Continuance of their first Meeting; and since that my Attention has been so much engaged by the Business of this Government, the *Indian* Conferences, your long Sessions of Assembly, and the great Affairs to be transacted with the Commander in Chief, that I could not attend their Adjournment; so that the

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'Imputation attempted to be caſt on me, as well as the Lower Aſſembly, you know to 'be unjuſt, and without the leaſt Foundation.

'Your being pleaſed to find Fault with that Aſſembly for keeping their Tranſactions 'from public View, gives me to hope that you will, for the future, favour me with re-'gular Copies of your Minutes, in Conformity to the conſtant Practice of the Houſe of 'Commons, whoſe Votes are publiſhed daily. This I further demand of you, becauſe 'you profeſs your Determination of laying your Tranſactions before the King's Mi-'niſters, which I very much approve of.

'As to your Apprehenſions of being loaded with the Defects of the Aſſembly of the 'Lower Counties, I would obſerve, that your Proceedings are too well known, both in '*America* and *Great-Britain*, to admit of any Doubt: You need not therefore be under 'any Concern about the World's miſtaking the Conduct of any other Aſſembly for yours.

'You ſeem ſurpriſed that I did not lay before you my Stipulations with my Lord '*Loudoun*, which, relating to a ſecret Expedition, could not at firſt, with Propriety, be 'communicated to the Aſſembly. And beſides this, as the Detachment I ſtipulated for, 'was to be draughted out of the Provincial Forces, I ſaw it was impoſſible to ſpare any 'till ſuch Time as theſe Forces ſhould be completed, of which there was no Kind of 'Proſpect at that Time.

'My Duty therefore was to urge the Commiſſioners to encourage the Recruiting Ser-'vice, by giving a proper Bounty to each Recruit. That Affair hung too long on Hand; 'at firſt only a *Dollar* Levy Money was given; at laſt a *Piſtole*; and without any other 'Allowance to the Officers than *Half a Dollar per* Man, which has ſince been taken 'away.

'The Aſſembly has met, and may meet often again, without ſeeing the Complement 'of Troops raiſed, as the Commiſſioners have Yeſterday notified their Reſolution of al-'lowing nothing to the Officers.

'The Method, if it be ever intended, to complete the Levies, will be to give the ſame 'Bounty Money as is allotted in his Majeſty's Service, which is founded on Reaſon and 'Experience. We have no real Soldiers to be depended on for any Time, but ſuch as 'are inliſted on the new Eſtabliſhment. As ſuch uncommon Bounty Money was of-'fered in *Jerſey*, and ſuch great Encouragement given to inliſt in the King's Troops, it 'became abſolutely neceſſary to offer even more than the *Piſtole*; ſeveral of our Men, 'whoſe Times were out, having actually inliſted either with one or other of them; and 'this was ſtill the greater Misfortune, as one old Soldier was equal to three new Recruits.

'What is to be underſtood from the Paragraph of my Meſſage on *Indian* Affairs, is, I 'think, not hard to conceive. It being my Duty to deliver his Majeſty's Orders, ſignified 'by my Lord *Loudoun*, with regard to *Indian* Treaties, you are to conſider them as ſuch, 'and not as his Lordſhip's or mine; it grieves me to tell you, that what you call Re-'flections, publiſhed with Pleaſure by me, reſpecting the Conduct of the People of this 'Province, are Obſervations of the Commander in Chief on their paſt Meaſures, which 'I could not anſwer keeping ſecret; therefore it is too delicate a Matter for me, who 'am not perſonally concerned, even to attempt to anſwer your Objections. However, 'you will remark, that Lord *Loudoun* expreſsly ſays, *That the People of this Province 'have obſtinately inſiſted in carrying on Negotiations with the* Indians, *and have even ſent to 'negotiate with them ſeparately in the King's Agent's own Houſe*; which was very par-'ticular, when the Governors themſelves were ſtrictly forbid to meddle with *Indian* 'Treaties in any Shape whatſoever.

'Nothing ſhall be wanting on my Part, in Conjunction with the King's Agent, to 'ſettle any Differences ſubſiſting with the *Indians*. Numbers have been Witneſſes to my 'Candour and Impartiality in the late Tranſactions for that Purpoſe, and particularly ſome 'of your own Body. How can you then preſume to inſinuate a Doubt to the contrary?

'As a Judge, I can never ſuppoſe an Accuſation proved before it be heard, even againſt 'the loweſt Perſon of the Country; nor ought I, when the firſt and higheſt are miſ-'repreſented and blackened. Which of you, Gentlemen, would like ſuch Treatment? 'And what would you ſay, if a chief Magiſtrate acted ſuch a Part in Matters relating to 'your Character and Property?

'The Proprietaries, who have the Government under the King's Charter, are ready 'to make ample Satisfaction to the *Indians*, in caſe any Fraud, with reſpect to Purchaſes, 'appears to have been committed by their Agents; but the Charge is *ſo heinous* againſt 'Gentlemen in their high Station, that it will be a particular Pleaſure to me to right their 'Honour, and at the ſame Time do the *Indians* Juſtice, in caſe it appears that their 'Complaints are well founded.

'What you have therefore ſo confidently affirmed to be the chief Cauſe of the preſent '*Indian* Ravages, is far from being ſo evident as to admit of no Contradiction. *Tee-'dyuſcung*, at the laſt Conferences at *Eaſton*, openly and honeſtly declared, that the ſup-'poſed fraudulent Purchaſe was not the real Cauſe, though the Blow fell heavier on that 'Account. How then can it be aſſerted, that the Hoſtilities aroſe on Account of other

'Purchaſes,

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'Purchaſes, whereof he has never made any Mention? Nay, you know further, that the 'Deputies of the *Six Nations* made no Complaint of this Nature, though the Queſtion 'was put to them in the moſt public and ſolemn Manner during the late Conferences at '*Lancaſter*, whether they had any Thing to complain of againſt this Province, with 'regard to Land Purchaſes, or on any other Account whatſoever.

'Purchaſes from the *Indians* have always been approved of by this Province as the 'moſt equitable and ſatisfactory Method of ſettling the Country, which you know the 'Proprietaries, in Compliance with the Royal Grant, are under the ſtrongeſt Obligations 'to do: Wherefore, if there be nothing to complain of in the Manner of making ſuch 'Purchaſes, there can be no Objection to the Extent of them, whilſt ſo neceſſary for the 'Security of the Inhabitants; eſpecially when it is repreſented to me, that the ſettled 'Part of the Province, is not one Eighth Part of the Whole, and the other Seven 'Eighths are yet open to the *Indians*.

'In the Concluſion of your Meſſage, you mention great Neglects in the Recruiting, 'and other Parts of the Military Service. I agree with you, that what relates to Re-'cruiting has been too much neglected, and never was worſe carried on in any Country 'in the World: Of that I have ſpoke above, and long ſince offered a Remedy. As to 'the reſt, conſtant Patroles and ranging Parties have been ordered out; but even this 'Service has been materially checked, when the Soldiers wanted both Pay and Neceſ-'ſaries; and more particularly, when the very moderate Demands of Lieutenant Colonel '*Armſtrong* were refuſed, who had Inſtructions to encamp with Three Hundred Men, 'the latter End of *March*, or the Beginning of *April*, in an advanced Poſt, to cover that 'Frontier. The Attacks of the Enemy might either have been prevented, or they cut 'off in their Retreat; many Murders conſequently would not have been committed, and 'many Priſoners not led into the worſt of Slavery, if my reaſonable Application had been 'complied with, which would have put the Public to very little Expence; and the Re-'mainder of the Proprietary Preſent was more than a ſufficient Fund for that Expedition. 'As to the Aſſertion of the Numbers of each Battalion not being kept up, it has been 'ſhewn to have been owing to the determined Reſolution of the Commiſſioners to retard 'the Recruiting Service. Standing Orders were given, on my firſt coming, to re-inliſt 'Men whoſe Times were expired, and to complete the ſeveral Companies. The two 'Battalions of the *Pennſylvania* Regiment have been generally complete, which, all Things 'conſidered, is to be looked upon as next to a Miracle.

'With reſpect to the *Auguſta* Regiment, about Three Months ago the Men were ready 'to mutiny for want of Pay; the Commanding Officer expected to be beſieged every 'Hour; the Garriſon was very weak, and the Works not finiſhed. It was abſolutely 'neceſſary that the Officers ſhould remain there for the Defence of the Place; and they 'were ordered to uſe their utmoſt Endeavours to quiet the Men, who loudly demanded 'their Pay and Diſcharges, and engage them to re-inliſt; nor could they be ſpared to 'go a recruiting till Money was ſent to pay the Regiment. I was even under a Ne-'ceſſity to re-inforce the Garriſon with three Companies of another Battalion, and their Of-'ficers; and even more were ordered for the Defence of that important Place, who re-'fuſed to march for want of Pay and Neceſſaries.

'You do well to inform me of the Miſconduct of Perſons employed in the Service of 'the Government; but you would have done better to have mentioned their Names. 'I have commiſſioned none ſuch: Bring your Proofs, and they ſhall be removed. General 'Aſperſions have a very bad Appearance, and too frequently are ill-grounded and malicious.

'The whole of theſe Tranſactions will be tranſmitted Home as ſoon as poſſible.

'Thus I have endeavoured to anſwer your moſt extraordinary Meſſage with Temper 'and Moderation. If you chuſe in public Buſineſs to lay aſide Decency, it does not 'become a Gentleman in my Station to want Manners.

June 22, 1757. *WILLIAM DENNY.*"

The Houſe taking into Conſideration the foregoing Meſſage,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Leech*, Mr. *Roberdeau*, Mr. *Yorke* and Mr. *Weſt* be a Committee to prepare an Anſwer to the ſame.

The Queſtion being then put, Whether the Houſe adhere to the Bill for forming and regulating the Militia, &c. returned by the Governor, as it now ſtands, without admitting the Governor's Amendments? the ſame was, by a great Majority, reſolved in the Affirmative.

Then the Houſe adjourned to Five o'Clock To-morrow Afternoon. Adjournment

The Governor ſent down, by the Secretary, ſundry Papers, with a written Meſſage, to the Houſe, which was read, and follows in theſe Words: *June* 23. *Poſt Meridiem*

GENTLEMEN,

'ON the Intelligence herewith ſent you, which I received this Afternoon by Ex-'preſs from Colonel *Stanwix*, I am obliged to preſs you, in the warmeſt Terms, 'to A Meſſage from the Governor to the Aſſembly.

1757. *June* 23. ‘ to encourage the raiſing Recruits, by giving the ſame Levy Money to the Officers for ‘ each Recruit as is given in the King's Service, or by the neighbouring Provinces; the ‘ Safety of the Country, and the Lives of the Inhabitants depending on the Troops be- ‘ ing completed as expeditiouſly as is poſſible.—I hourly expect further Accounts from ‘ Colonel *Stanwix*, and deſire you will not ſeparate till it is confirmed where the Attack ‘ will fall.

June 23, 1757. *WILLIAM DENNY.*”

The Papers delivered with the above Meſſage were a Letter from Colonel *John Stanwix* to the Governor, and two others from Colonel *Waſhington* to Colonel *Stanwix*, with Intelligence of a large Party of *French* and *Indians* marching towards Fort *Cumberland*.

Adjournment. Then the Houſe adjourned to Eight o'Clock To-morrow Morning.

June 24. The Committee appointed to prepare an Anſwer to the Governor's Meſſage of the Twenty-ſecond Inſtant, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame was read, and conſidered.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Anſwer to the Governor's Meſſage of the Twenty-ſecond Inſtant was again conſidered, and agreed to, and ordered to be tranſcribed.

A Petition from the Commiſſioners and Aſſeſſors of *Northampton* County was preſented to the Houſe and read, ſetting forth, that ſuch are the Diſtreſſes and neceſſitous Circumſtances of many of the Inhabitants of the ſaid County, that the Petitioners apprehend it will be both oppreſſive and fruitleſs to levy the additional Tax, impoſed by the late Supplementary Act, on many of the ſaid People, who are ſo much impoveriſhed by the late *Indian* Ravages on that Part of the Frontier Settlements, as to be altogether unable to pay the ſame.

The Houſe being acquainted that one of the ſaid Commiſſioners and Aſſeſſors attended without, they were called in, and acquainted from the Chair, by Order of the Houſe, that it was the Opinion of the Houſe, that, as Commiſſioners, they had a diſcretional Power, by which they were authorized to conſider the Circumſtances of ſuch who, by Reaſon of the *Indian* Incurſions, were rendered incapable to pay the Tax, in the ſame Manner the Commiſſioners were authorized by the County Rate and Levy Act.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

June 25. The Houſe taking into Conſideration the Governor's Meſſage of the Twenty-ſecond Inſtant, with the Memorial of Sir *John St. Clair*, after ſome Time ſpent therein,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Maſters* and Mr. *Yorke* be a Committee to review and conſider the Laws now in Force for repairing and regulating the Roads within this Province, and bring in a Bill to ſupply the Defects of ſaid Laws, if any ſuch ſhall appear.

The Anſwer to the Governor's Meſſage of the Twenty-ſecond Inſtant being tranſcribed, the ſame was again read, ſigned by the Speaker, by Order of the Houſe, and is as follows:

May it pleaſe your HONOUR,

Anſwer to the Governor's Meſſage from the Aſſembly. THE Houſe met at this Time, in Purſuance of the Governor's Summons, ſincerely diſpoſed to do the Public Buſineſs with that Unanimity and Diſpatch the Good of the People and his Majeſty's Service required, and expected to find the ſame Temper of Mind prevailing with the Governor. But we were both concerned and ſurpriſed, when we peruſed his Meſſage, at the Beginning of this Sitting, and found in it, among many evident Reflections, two Charges of a moſt extraordinary Nature; that we had offered to your Honour an “Anti-conſtitutional” and an “Extraordinary Bill; and that the People “ of this Province had interfered with his Majeſty's Prerogative of making War and “ Peace.” Charges that plainly include a Deſign to ſubvert the Principles of the Conſtitution, and to invade one of the moſt ſettled Prerogatives of the Crown. And Charges, which, as they were without the leaſt Foundation, our Duty to his Majeſty, and a Regard to Truth, obliged us to refute; which we apprehend is fully done, by a fair and impartial Repreſentation of a Number of Facts in our late Anſwer to that Meſſage. But as the Governor has been pleaſed, in his Meſſage of the Twenty-ſecond Inſtant, to repeat thoſe Accuſations, with a Number of additional and aggravating Cenſures on our Conduct, without any juſt Reaſon, and we can have no room to doubt, but the Perſon who can cenſure without Cauſe, will not be backward in miſrepreſenting our Actions, to ſupport thoſe Cenſures, even to “the King's Miniſters,” we hope the Governor will excuſe us, if we cannot paſs over thoſe Cenſures in Silence.

The Governor is pleaſed to aſſert, that “the firſt Part of our former Meſſage contained “ nothing more than Excuſes why we would not comply with his Majeſty's Demands.” That Part of our Meſſage was a plain Narrative of Facts, referring to the Dates of Letters, the Supplies granted, and the known Circumſtances and Burdens of the People; from whence it appeared that his Majeſty's Demands had been even anticipated by the Loyalty and Zeal of his Subjects in this Province, in granting larger Supplies than they could

could well pay, and greater than moſt of the other Colonies have given. This being the Caſe, we are by no Means doubtful but his Majeſty, when he ſhall be truly acquainted with the Facts, will be convinced of our Loyalty and Affection to his Royal Perſon, and our Regard for the People we repreſent.—Nor are we terrified at the repeated and numerous Threats the Governor is pleaſed to interſperſe throughout the moſt of his Meſſages, of repreſenting our Conduct to the King's Miniſters. We ſhall take the neceſſary Care to detect any Miſrepreſentations, and can chearfully rely on the Goodneſs of our Cauſe, and the Juſtice of the Crown and a *Britiſh* Parliament, in determining it. 1757. *June* 25.

The Governor's Miſrepreſentation of our Conduct can appear from nothing plainer than the Pains he has taken to prove that we have treated Lord *Loudoun* "with Indecency, "and unjuſtly cenſured him." Can it be poſſible the Governor could miſunderſtand the Words of the Meſſage? Or could he, whoſe Duty it is to protect us, unjuſtly intend to make that Nobleman an Enemy to the Province, by perverting the moſt decent and reſpectful Sentiments of his Lordſhip into unjuſt Cenſures? The Words of the Meſſage, referred to by the Governor, are, "We cannot doubt, from his Excellency's *Activity* and "*Conduct* in his Station, of his Concern at the Danger this, as well as the other, Co- "lonies are expoſed to: And we have Reaſon to apprehend, from his *known Juſtice*, that "had he duly weighed the large Sum of Money already granted by us to his Majeſty, "and been fully acquainted with the Circumſtances of the People, he would have waved "preſſing us at this Time for an additional Number of Forces." Was it unnatural or indecent to preſume that his Lordſhip, a Stranger in the Province, lately arrived from *Europe*, intruſted with Matters of the utmoſt Importance, which muſt neceſſarily engroſs his whole Attention, ſhould be unacquainted with the Circumſtances of the People? Or is it rational to conclude his Excellency could know the true State of the ſeveral Provinces, and particularly that of *Pennſylvania*, though but a Fort'night in it? If not, how could the Governor ſo manifeſtly miſrepreſent our Actions, and inſinuate, that his Lordſhip "had not eſcaped our Cenſures." But of this his Lordſhip is to judge, to whoſe Juſtice and Honour we chearfully refer this unkind Reflection upon us from our Governor, without the leaſt Foundation.

In order to juſtify the Governor's Conduct in rejecting the Militia Bill, he is pleaſed to aſſign two weighty Reaſons, as he calls them; Firſt, "That the late Bill which paſſed "the Houſe of Commons ſubjected the Militia, in Time of Inſurrection or Invaſion, to "the Penalties of Death, or ſuch other Judgments as a Court-martial ſhould inflict."—It is ſtrange, that the Governor cannot diſcriminate between that Bill and the Bill preſented by this Houſe. The former is not a general Militia Bill, nor obligatory on more than one Twentieth Part of the Community at one and the ſame Time, but every Freeholder was to have the Alternative of ſerving, or hiring a fit Perſon in his room; and if any of the Freeholders did not chuſe to ſubject themſelves to the Judgment of a Court-martial, they might by this Means avoid it. From whence we may rationally conclude, that Militia would be chiefly compoſed of hired Perſons; and this ſeems ſtill more probable from their receiving the ſame Pay as the King's Troops, and their being obliged to muſter on *Sundays*. The latter is a general Militia Bill, equally obligatory on the whole Community, without any ſuch Alternative; and therefore every Freeholder in the Province would be ſubject to theſe Penalties, without any Opportunity of avoiding them. — Had the former Bill extended to all the Freemen of *Great-Britain*, and obliged them to give their perſonal Attendance, without ſuch Choice, can it be reaſonably preſumed, that ſo wiſe a Body of Men, the great Supporters of the *Engliſh* Liberties, would have paſſed it?

Secondly, "That the Law repealed by his Majeſty conſtituted a Court-martial for the "Trial of Offenders, which the Bill before him has not done."—'Tis true, no ſuch Court was conſtituted by the Bill: Nor was it neceſſary, as it contained ſevere Penalties on Delinquents, and thoſe Penalties are directed to be recovered in the Courts of Juſtice, and before the Officers of the Militia. The Conſtitution of a Court-martial, in that Law, as it was repealed, might be one of the Reaſons of that Repeal. Nothing elſe can be naturally deduced from it.—How then could the Governor think of giving ſuch a Reaſon for his refuſing ſo neceſſary a Bill? The Choice of ſo bad an Argument is a clear Proof to us that good Reaſons are ſcarce with the Governor to ſupport his Conduct in this Reſpect. And as to the looſe Manner, and pernicious Conſequences, "of giving Liberties "to evil diſpoſed Perſons of pretending they are actual Members of certain Con- "gregations when they are not;"—we beg Leave to anſwer, "The evil Perſons" of every Congregation have the ſame Liberties, upon paying the Fines for Non-attendance on the Military Duties; to enforce which, an equal and conſiderable Fine is laid on every Perſon capable of bearing Arms; and the Perſons of thoſe "certain Congregations" are not excuſed from their Duty, but upon the Payment of the ſame Sums that are impoſed on others for their Delinquencies.—Where, then, is the Injuſtice or Inequality of the Bill?

But we are ſorry to find, that no Militia Bill, however neceſſary for the Defence of the Province, will meet with the Governor's Concurrence, unleſs it is framed in ſuch Manner as will enable deſigning Men to overturn the Conſtitution, ſubvert all our

1757. *June 25.* Rights and Privileges, and perſecute ſeveral Sects of religious Societies, and honeſt and loyal Members of the Community, whom the Governor is pleaſed to favour with the kind Appellation "of the worſt of Perſons."

The Governor is pleaſed to inform us, that "before his Arrival, the Lower Counties "had given, for the King's Uſe, as much as their Circumſtances would permit." It had been well in the Governor to have particularized the Sum given, that others might judge of that Matter as well as himſelf.—We never have heard of their granting but *Two Thouſand Pounds*. If more has been given, it is but trifling, compared with their Circumſtances, and the Neceſſities of the Colonies. Their Lands are rich; many of their Farmers wealthy, and have all the Advantages of our Market, to which they bring their Commodities at little Expence. Thoſe Counties, we preſume, are capable of ſupplying at leaſt the Proportion of a Tenth Part of the Aids of this Government; and yet, while this Province has expended in the Defence of itſelf and that Government near 220,000 *Pounds* in a ſhort Time, we know of no Taxes laid by that Aſſembly towards their own Defence, or the Support of the War, except a Part of their Exciſe, out of which the Grants we have mentioned were made.—And this, the Governor is pleaſed to ſay, was "as much as their Circumſtances would permit," and accordingly he has never called upon them for any further Aid, though he is expreſsly ordered by the Royal Inſtructions ſo to do, and has now been near Twelve Months in the Province.

The Stipulations with Lord *Loudoun*, the Governor ſays, "related to a ſecret Ex-"pedition, and could not at firſt, with Propriety, be communicated to the Aſſembly." They might, perhaps, relate to a ſecret Expedition, but if ſo, it was by no Means ſecretly conducted; for, during the Sitting of the Aſſembly, it was pretty generally known, and talked of, as well by the Officers of the Army as others, that ſuch an Expedition was intended. Where then could be the Impropriety of communicating it to the Repreſentatives of the People, without whoſe Aid the Stipulations could not be complied with? Why did he not requeſt our Aſſiſtance in his Meſſage at the Beginning of this Sitting? and why was the Aſſembly obliged to offer their Aid without his Requeſt? From whence it ſeems clear, that the Governor was ſo far from thinking it improper to be communicated, that he did not even think it neceſſary; but was poſſeſſed with a Notion that he could comply with that Engagement without our Aſſiſtance, though he had expreſsly, by the Tenor of the Stipulations, agreed ſo to do at the Time he entered into them.

Your Honour is pleaſed to agree with us, "that what relates to Recruiting has been too "much neglected, and never worſe carried on in any Country in the World." And you further add, "That this has been owing to a determined Reſolution in the Commiſſioners, "to retard the Recruiting Service." The Matter then is reduced to this ſingle Point, Whether the Governor or the Commiſſioners are to blame? We ſhall not here enter into a full Juſtification of thoſe Gentlemen; perhaps they may hereafter think it neceſſary to vindicate their own Conduct: But as they have laid their Minutes before us, in order to juſtify their Conduct to this Houſe, we beg Leave to ſay, it appears to us from thence, that as ſoon as the Governor recommended the giving a *Piſtole* Bounty, for the Inliſting of Men, they immediately and chearfully agreed to it; nor does it appear that your Honour ever requeſted a larger Bounty, or ever made that Requeſt till the 25th of *April* laſt. And the Reaſons thoſe Gentlemen aſſign to us, in Vindication of their Conduct in not allowing *Five Pounds* a Man to the Officers for each Recruit, agreeable to the Governor's Recommendation, are as follow: Firſt, Becauſe many Perſons of Reputation and Intereſt in the Province had offered, and are yet ready, to raiſe Companies of Men, without any Expence to the Public. Secondly, Becauſe, from the Nature of the Service, the large Wages that are given, the Bounty offered, and the Inclination the People have ever ſhewn to enter into that Contract with the Government, the Commiſſioners had Reaſon to expect the Battalions might be kept complete with very little Expence or Trouble, had recruiting Orders been timely given. And this appears from your Honour's own Words, in a former Meſſage, when you informed the Houſe (however inconſiſtent with the Meſſage we are now conſidering reſpecting that Matter) "That the Officers "met with Succeſs in Recruiting." And laſtly, as great Part of the Sum granted was then expended, and the Remainder not likely to prove ſufficient to anſwer the Purpoſes intended, they could not be ſo regardleſs of their Duty to the Public, and laviſh of the People's Money, as to throw, unneceſſarily, *Seven Thouſand Pounds* into the Pockets of a Set of Officers, from whom, either through the Default of their Commanders, or their own Neglect of Duty, the People have hitherto received but little Protection.

Thus far the Commiſſioners Conduct appears to us juſtifiable. But your Honour is pleaſed to proceed in your Cenſures of that Board, by ſaying "that conſtant Patroles and "ranging Parties have been ordered out;" and that "even this Service has been ma-"terially checked, when the Soldiers wanted Pay and Neceſſaries; and more particularly "when the very moderate Demands of Lieutenant Colonel *Armſtrong* were refuſed, "who had Inſtructions to encamp with Three Hundred Men the latter End of *March*, or "the

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"the Beginning of *April*, in an advanced Post, to cover the Frontiers." If such Orders have been given, it can be no difficult Matter to prove "the Misconduct of the Persons employed in the Service of the Government," as your Honour calls on us to do. Was it not the Duty of the Officers to obey those Orders? Have not those Orders been *almost* altogether neglected, and the Men on the Frontiers sleeping in the Forts, while the adjacent Inhabitants have been murdered, without the least Attempt to relieve them? Were not near twenty of the Inhabitants, during the Time of the last Treaty at *Lancaster*, inhumanly butchered and captivated within thirty Miles of that Place, while the Troops, for the Space of six Days, remained inactive in their Forts, nor ever marched to their Assistance? And have not the Back Inhabitants more than once represented and complained of these Things? But "this Service was materially checked," as is said, by the Mens wanting both "Pay and Necessaries." That the Men ever wanted Necessaries, we are informed, is a Mistake; the Commissioners, whom the Governor is thus pleased to censure, having repeatedly staked their Credit and Fortunes to supply them, when the Governor arbitrarily withheld his Assent to the reasonable Bill, which, after a long and unnecessary Delay, he passed for their Pay and Support.

The Governor next proceeds to censure the Commissioners for refusing the "very mo-"derate Demands of Colonel *Armstrong*." We need only mention the Facts, evidently to shew how unkind and unreasonable the Governor is in this Reflection. This Demand was laid before the Board at a Time when the Province was *Twenty Thousand Pounds* in Debt, and the Public Money, of which they had the Disposition, entirely expended, save about *Three Thousand Pounds* of the Arrears of the Proprietaries *Free Gift*, which was then unpaid, and alone remained to discharge the Public Debts. Yet so extremely unreasonable was the Governor, as to expect that the Commissioners would further stake their Fortunes, already engaged for more than they could with Justice to their Families spare, and that upon the Public Credit; when, from the Governor's Conduct, they had as little Reason to think he would ever pass our reasonable Supply Bills to indemnify them, as they had to expect that the Proprietaries Receiver General would pay the Remainder of the *Free Gift*, for which he has been so often dunned, that the Commissioners had Reason to suspect there was no Design to pay it at all. But since this Encampment of Colonel *Armstrong*, as your Honour says, would "have cut off the Retreat of the Enemy, "prevented the many Murders that have been committed, and the Captivating the many "Prisoners that have been led into the worst of Slavery;" how has it happened that this Demand has never been made of the present Commissioners, since the Supplies have been granted, and since they have had it in their Power to have complied with it? And why was not Colonel *Armstrong* sent out to encamp there, when the Commissioners recommended it to the Governor at *Lancaster*? Are the Circumstances of the Case altered? Is not that Encampment as necessary now to cover the Frontiers, and to protect the Inhabitants, as it was then? Or, is it not more so, since this is the Season to expect the Enemy?

We are truly surprised at the Governor's Information, "That standing Orders were "given at his first coming to re-inlist Men whose Times were expired." Those Orders, it is well known, never were executed, nor attempted so to be. The Commissioners had it not in their Power to execute them; that was the Province of the Governor. And it seems to us, as if it was not expected that they should be obeyed, as nothing was ever done to enforce an Obedience to them, and as more particular Orders were granted to the several Battalions since. But we entreat the Governor would recollect a few Facts, which will set this Matter in a clear Light, and fully justify the Conduct of the Innocent. On the Twenty-third Day of *March* the Supply Bill was passed; a few Days after the Money was struck, and at the Disposal of the Governor and Commissioners. On the Twenty-fifth of *April*, as is said before, your Honour applied to the Commissioners to give a Bounty, which they immediately complied with; and yet, notwithstanding there was Money granted, a Bounty allowed for each Recruit, and the several Companies of the *Augusta* Regiment very incomplete, and daily diminishing, no particular Orders were given, as we are informed, nor the Officers sent out on the Recruiting Service, until the Eighteenth of *May*; and we have Reason to believe would not have been then, had not the Commissioners, moved with the Distresses of the People, by their Letter of that Date to your Honour, warmly requested that it might be done. But it is alleged, "that the Officers could not be spared to go a-recruiting, until Money was sent to "pay the Regiment." More than one Officer out of a Company does not seem necessary to be absent on that Service; and one would imagine, under the particular Circumstances of that Battalion, it had been more prudent to have spared one of each Company, had his Place been supplied by a Draught from another Battalion, than totally to neglect the Recruiting Service For by this Means the Fort would have received daily Supplies of Men, at that Time so much wanted, instead of their constantly diminishing in Number.

From what Part of our Message your Honour could collect that heinous Charge of

"Fraud"

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" Fraud" againſt the Proprietaries in their *Indian* Purchaſes, we are at a Loſs to judge. That Meſſage is now before us, and we cannot find the Word " Fraud" or " Pro- " prietaries" mentioned therein on that Occaſion, nor any Thing that can bear ſuch a Meaning. It would be wrong in us to criminate any Man unheard, much leſs Gentlemen in the high Station our Proprietaries bear in this Province; and the Governor muſt own, on Reflection (notwithſtanding what he has been pleaſed to inſinuate) that we have not done it; and we aſſure the Governor, it will give us as much " Pleaſure" as it can give him, " to right their Honour," and at the ſame Time do the *Indians* Juſtice, in " Caſe it appears that their Complaints are well founded."

We are by no Means fond of entering into a Controverſy with the Governor reſpecting *Indian* Purchaſes, being in Hopes the *Indian* Complaints will be ſettled, and Tranquillity thereby reſtored to the Province; but cannot avoid adding, that we are ſtill of our former Opinion, " that the Cauſe of the preſent *Indian* Incurſions on the Province, have ariſen, " in a great Meaſure, from the exorbitant Purchaſes made, or ſuppoſed to be made, of " the *Indians*." This appears from the general Tenor of both the late Treaties; though ſome Parts of the former, reſpecting the *Indian* Purchaſes, are ſo faintly and incongruouſly expreſſed, that they are ſcarce intelligible. This is the Caſe with that Part the Governor relies on to refute our Aſſertion. —— But a little Reflection on ſome other Parts of that Treaty, which are clearly expreſſed, will evidently prove it. *Teedyuſcung* with great Ardour declared, " that the Lands lying between *Tohiccon* and *Wyoming*, on " the River *Suſquehanna*, were his, and that it was taken from him by Fraud." And the Speaker of the *Six United Nations*, at the *Lancaſter* Treaty, expreſſes himſelf in this Manner: " Brothers, you deſired us to open our Hearts, and inform you of every " Thing we knew that might give Riſe to the Quarrel between you and our Nephews " and Brothers."——He proceeds to declare, that upon ſome Difference between them and the *Engliſh*, the *Six Nations* " thought proper to remove them, giving them Lands " to plant and hunt on at *Wyoming* and *Juniata*, on *Suſquehanna*; but that the *Engliſh* " covetous of Land, made Plantations there, and ſpoiled the *Indians* Hunting Ground: " That they complained to the *Six Nations*, who looked over thoſe Lands, and found " their Complaints to be true." After this open Declaration of the *Six Nations*, joined with that of *Teedyuſcung*, how can it be doubted, that the large Purchaſes, made by the Proprietaries Agents, have given them Diſguſt?——Have not the *Six Nations*, at their laſt Treaty, recommended it to the Governor, as the only Means of reſtoring Peace to the Province, " rather to give ſome Part of their Fields back again, than differ with " them." Is it not now manifeſt that nothing leſs will ſatisfy them, but a ſurrendering up of their Hunting Country, and the only Land they have left to live in, and a Settlement of a Boundary, not to be encroached on, between us? And ſuppoſing it true, that " the ſettled Parts of the Province are not more than one Eighth," the Concluſion of the Governor, that " the other ſeven Eighths are yet left to the *Indians*," will by no Means ſatisfy them. They juſtly conſider, that Purchaſes, however made, give a Pretence to remove the Poſſeſſors at Pleaſure: That ſhould they be removed from the Lands already purchaſed, or pretended ſo to be, they have no Place to ſubſiſt in; and in this Caſe it will be but little Satisfaction to them to reflect, that it is not ſettled.

We aſſure the Governor, that nothing could give us more Pleaſure, than the Reſolution he has taken, " in Conjunction with the King's Agent, to ſettle any Differences " ſubſiſting with the *Indians*." Nothing, we are convinced, can ſo effectually conciliate the Minds of the Natives to his Majeſty's Intereſt, as ſo ſalutary a Meaſure; and therefore we aſſure your Honour, that nothing in our Power that may contribute to ſo good a Work, ſhall be wanting. Your Honour has begun, and made a conſiderable Progreſs therein, with a good Degree of Succeſs, with which the *Indians* have expreſſed their Satisfaction; and therefore we requeſt your Honour will be preſent at the enſuing Conference, as your Non-attendance will certainly occaſion great Diſguſt to the *Indians*, and from their known Diſpoſition, in all Probability, deſtroy the good Effects that may be expected from it. We have recommended it to the Commiſſioners, who will bear the Expence of the Conference, and ſupply your Honour with what Money you ſhall think proper to call on them for, to defray your Expences on that Occaſion.

We are heartily ſorry the Governor ſhould ſo far miſunderſtand our Meſſage, as to think in any Part of it we had " laid aſide Decency." We are not conſcious of the Juſtice of that Charge. It is our undoubted Right, as an Aſſembly of this Province, to repreſent the public Grievances, and the Miſmanagement of public Affairs, and to vindicate our Conduct, which has been unjuſtly miſrepreſented. This we have done, and this we hope we may ever do, without juſtly incurring the Imputation of " Want of " Manners;" as an Omiſſion thereof would be a manifeſt Breach of our Duty to the People we repreſent.

Signed, by Order of the Houſe,
ISAAC NORRIS, *Speaker.*"

June 25, 1757.

Ordered,

Ordered, That Mr. *Douglas* and Mr. *West* wait on the Governor with the foregoing Answer from the House, and acquaint his Honour, that the Members, having gone through the Business that lay before them, incline to adjourn to the Eighth Day of *August* next: And that if in the mean Time it be agreeable to the Governor that some of the Gentlemen of the Assembly do attend him to *Easton*, to the expected Conferences with *Teedyuscung*, and other *Indians*, the House will nominate the Committee who waited on his Honour to *Lancaster*, for that Purpose: Also, that the House, upon considering the Memorial of Sir *John St. Clair*, and the Governor's Message sent down therewith, have appointed a Committee to revise the Laws in Force for repairing and regulating Highways, and to bring in a Bill to supply their Defects, if any shall appear. 1757. *June* 25.

The Members return and reported, that they had waited on the Governor, and delivered the Message of the House according to Order; to which his Honour was pleased to answer, that he had a short Message just ready to send to the House, which it would be necessary for them to consider before they adjourned. —— That they also acquainted his Honour, the House had appointed the same Members who waited on him to *Lancaster*, with Mr. *Hughes* and Mr. *Roberdeau*, to attend him at the proposed Conferences to be held with *Teedyuscung*, at *Easton*, if it would be agreeable to him; upon which his Honour made a Bow, but returned no Answer.

The Governor sent down a Message, by the Secretary, which was read, and is as follows, *viz.*

GENTLEMEN,

'IN Case of an Attack, which we have the greatest Reason to expect, it will be necessary for me to raise Volunteers; to order a Detachment of the Militia of the Lower Counties to march for the Defence of this Province; and further, to apply for a Body of the Militia of *New-Jersey*. These Troops should be supplied with Ammunition, Provisions, Carriages, Quarters, and such other Necessaries as may be wanted for the Conveniency of their Marching and Encampment; besides, there will be wanting Arms and Accoutrements for the Volunteers: I most earnestly recommend it to you to make the proper Provisions for these several Articles, otherwise the Consequence will be fatal to this Province. A Message from the Governor to the Assembly.

June 25, 1757. *WILLIAM DENNY*."

The House taking into their immediate Consideration the above Message from the Governor, came to the following Resolves, *viz.*

Resolved, 1. That the House are desirous to pass, and have repeatedly presented to the Governor, a Bill for forming and regulating the Militia of this Province; which, had he thought proper to have given his Assent to, would have enabled him to have protected the People: And that his Refusal of the said Bill is a Denial of that Protection which they have a Right to demand, and was his incumbent Duty to have granted.

Resolved, 2. That this House having passed a Law for granting *One Hundred Thousand Pounds* to the King's Use, for the Raising and Maintaining Fourteen Hundred Men for the Defence of the Province, had the Governor taken the proper Care in recruiting the Provincial Regiments, would have been sufficient at this Time, with the Assistance of the King's Forces now on our Frontiers, to have defended the Province against any Number of the Enemy we have Reason to expect are coming against us.

Resolved, 3. That the said Supply Bill has invested the Provincial Commissioners with Power to dispose of the said *One Hundred Thousand Pounds*, for the Defence of the People, with the Assent of the Governor, and the House doubts not but they will chearfully defray the Expence of such prudent Measures as to them shall appear necessary for the Protection of the Province.

Resolved, 4. That it appears to us, that the Governor is determined to withhold that Protection from the People of this Province which a proper Militia might afford them, unless we will present him with such a Bill as will enable certain designing Men to subvert the Constitution, and deprive the Inhabitants of every Liberty they think worth enjoying.

The Clerk having made out a fair Transcript of the foregoing Resolves,

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor therewith, and deliver the same, in Answer to his Honour's Message of this Day.

Then the House adjourned to the Eighth Day of *August* next, the Time of Adjournment fixed at the Close of their last Session. Adjournment

THIS Day Mr. Speaker and Twenty of the Members met, agreeable to their Adjournment, but a Quorum not appearing, they adjourned to Three o'Clock Tomorrow Afternoon. *August* 8. *Post Meridiem* Adjournment

Ordered, That Mr. *Baynton* and Mr. *West* wait on the Governor, and acquaint him, *August* 9.

1757. *Auguſt* 9. that a Quorum of the Houſe being met, purſuant to Adjournment, deſire to know if his Honour hath any Buſineſs to lay before them.

A Petition from *Joſeph Thomas* was preſented to the Houſe, praying that he may be appointed the Officer for inſpecting and branding Flour exported from this Province, which was read, and *Ordered to lie on the Table.*

The Members appointed to wait on the Governor, reported, they had delivered the Meſſage according to Order; and that his Honour was pleaſed to ſay, he had not at preſent any Buſineſs to lay before the Houſe.

Adjournment. Then the Houſe adjourned to *Tueſday*, the 16th Inſtant, at Four o'Clock in the Afternoon.

Auguſt 16. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem *Ordered*, That Mr. *Pearne* and Mr. *Walker* wait on the Governor, and acquaint him, that the Houſe being met, deſire to know if his Honour hath any Thing to lay before them.

The Members appointed to wait on the Governor, reported, they had delivered the Meſſage according to Order; and that his Honour was pleaſed to ſay, the Secretary ſhould immediately attend the Houſe with a Meſſage.

A Meſſage by Mr. Secretary:

SIR,

" The Governor requires the Attendance of the Speaker, and the Houſe, in the Coun-
" cil Chamber immediately."

Then Mr. Speaker, with the whole Houſe, waited on the Governor; and being returned, Mr. Speaker reſumed the Chair, and reported, that the Governor had made a Speech to the Houſe, of which he had delivered him a Copy, with ſeveral Letters referred to in the ſaid Speech.

The Governor's Speech being read, follows in theſe Words, *viz.*

Mr. Speaker and Gentlemen of the Aſſembly,

Governor's Speech to the Aſſembly. ' THE Letters now laid before you contain the moſt alarming Accounts of the great
' and immediate Danger to which his Majeſty's Colonies are expoſed, by the Pro-
' greſs of a *French* Army, compoſed of Regulars, *Canadians* and *Indians*, to the Amount
' of Eleven Thouſand, and ſupplied with a large Train of Artillery, conſiſting of Thirty-
' ſix Pieces of Cannon, and, at leaſt, five Mortars. You will perceive that *Fort William*
' *Henry* was inveſted by them on the Third Inſtant, and ſurrendered on the Eighth; and
' that the next Day they attacked *Fort Edward*, where it is doubted they will not meet
' with a long Reſiſtance, as there was but a ſmall Force in it, and no Probability that
' the Draughts of the Militia would arrive Time enough, from the ſeveral Northern
' Governments, for its Relief.

' Where the Progreſs of our ever vigilant and reſtleſs Enemy will be ſtopped, God
' only knows; but from their Numbers, and the vaſt Rapidity with which they pro-
' ſecute their Advantages, we may be certain that ſome grand Deſign is on Foot, as a
' Counter-project to that of his Excellency the Earl of *Loudoun*, for over-running and
' conquering theſe Colonies in his Abſence. And it is more than probable, from other
' Intelligence now likewiſe laid before you, that we ſhall ſoon hear of another *French*
' Army falling upon theſe Southern Provinces from the *Ohio* and *Miſſiſippi*, in order to
' ſupport that which is now marching down upon *Albany* and *New-York*; while moſt
' of the Cities and Places of Trade lie expoſed to the Mercy of the ſmalleſt Force from
' Sea. This, Gentlemen, is a true, but melancholy, State of our Affairs. The moſt
' prejudiced Eye cannot now ſet the Danger at a Diſtance, nor preſume to treat theſe
' Accounts as the Tales of a Day, invented or exaggerated through Party Views.

' It is not my Intention to aggravate our preſent Diſtreſs by a painful Review of what
' is paſt; but can I, Gentlemen, conſiſtent with my Duty, forbear to mention that this
' Province has been the unhappy Seat of a cruel War for upwards of two Years, groaning
' under the bloody Outrages of a moſt barbarous Enemy, the Troops ſent to our Pro-
' tection defeated and deſtroyed, our Borders pillaged and laid waſte, great Numbers
' murdered and carried into Captivity, and Eleven Thouſand of the Enemy at this In-
' ſtant in the Heart of a neighbouring Province, at preſent carrying all before them;
' while we, amidſt this Series of Misfortunes, are neither put into a ſufficient Poſture
' to defend ourſelves, nor have Power or Authority, out of the vaſt Number of fighting
' Men this Government contains, to ſend a ſingle Man of them to the Relief of our
' Neighbours, without calling in the ranging Parties that are conſtantly out, and eva-
' cuating the few Garriſons we have on our Frontiers, now more than ever neceſſary for
' their Defence. Theſe Things, Gentlemen, are ſo ſurprizing in their Nature, that
' they would exceed all Credibility, if the Facts were not too flagrant, and too fatally
' felt. Let me therefore entreat you, if you make a Diſtinction between Liberty and
' Slavery, between your ineſtimable Privileges as *Engliſhmen*, and a miſerable Sub-
' jection

1757. *August* 16.

'jection to arbitrary Power, to embrace this Opportunity, perhaps the laſt, to retrieve, 'as much as poſſible, former Errors, and act vigorouſly, as your All is now at Stake.

'There are three Things which I muſt immediately recommend to you:

'*Firſt*, To enable me to ſend an effectual Succour to the City and Province of *New-York*, where a Stand, it is hoped, may be made, as a Moment's Time is not to be loſt. 'This, I conceive, can only be done by encouraging a Number of able-bodied and 'public-ſpirited Volunteers to go from this City, and the Parts adjacent, as the Provincials 'cannot be ſpared from our Frontiers, without expoſing the Province to immediate 'Danger; and were they even a Force ſufficient for the Purpoſe, are at too great a Di-'ſtance, and too much diſperſed, to bring any timely Relief. It will be neceſſary there-'fore to provide a ſufficient Quantity of Arms, Ammunition, Tents, and other Camp-'Neceſſaries, for thoſe who ſhall go on this Service.

'*Secondly*, As you cannot but be convinced that the Want of a Militia Law in this 'Province is of the moſt dangerous Conſequence, and has been a great Source of our 'preſent Misfortunes, encouraging the Enemy in their bloody Deſigns, as well knowing 'us to be an undiſciplined Multitude, incapable of defending ourſelves, or aſſiſting 'others; I muſt once more preſs, and earneſtly requeſt, you to unite, and enable me to 'call forth the natural Strength of the Province by an equitable and conſtitutional Mi-'litia Law, which will in the ſtrongeſt Manner provide for our own Defence, ſupply 'the Means of aſſiſting our Neighbours, and render us really formidable to the Enemy, 'and at a leſs Expence than the preſent Method of Defence.

'In forming this Law, I hope you will avoid thoſe Points on which we have formerly 'differed; and particularly, that you will not endeavour to take the Appointment of the 'Officers out of the Hand of the Government, as this would be deſtructive of the juſt 'Prerogative of the Crown, to which I can never conſent, his Majeſty having already 'ſignified his Pleaſure in that Matter by the Repeal of the former Law. Let me there-'fore, Gentlemen, prevail on you to frame a proper Bill, ſuitable to our preſent im-'minent Danger, on ſuch a Plan as has been found effectual by the Wiſdom and Ex-'perience of our Neighbours and Fellow-Subjects.

'*Thirdly*, I recommend it to you to make the beſt Improvement of our Alliance en-'tered into with the *Indians* at the late Treaty at *Eaſton*, by enabling me to give them 'Encouragement, together with Ammunition and other Neceſſaries, to act offenſively 'againſt the Enemy; and likewiſe to comply with the ſeveral Requeſts they made of me 'at the ſaid Treaty, the Particulars whereof you will ſee from the Minutes, which ſhall 'be laid before you.

'Theſe Things will require the utmoſt Diſpatch; and they are of ſuch great and im-'mediate Conſequence to the Preſervation of our Lives and Properties at this Juncture 'of extreme Danger, that I think it my Duty to enter upon no other Buſineſs till they 'are effectually provided for."

The Papers referred to in the foregoing Speech were reſpectively dated and entituled as follow, *viz.*

1. *A Letter from his Excellency Governor* Sharpe, *dated* July 14, 1757; containing ſome Account of the Strength of Fort *Duqueſne*, given by an *Engliſh* Priſoner taken at Fort *Granville*, who made his Eſcape from the *French* ſome ſhort Time before the Date of ſaid Letter.

2. *A Letter from Mr.* G. Bartman, *Aid de Camp of General* Webb, *to Lieutenant Governor* De Lancey, *dated at Fort* Edward, Auguſt 3, *Twelve o'Clock at Night*; acquainting him, that Fort *William Henry* was that Morning inveſted by 4000 *Canadians*, 4500 *Indians*, and ſome Regulars, with Thirty-ſix Pieces of Cannon, and at leaſt three Mortars.

3. *A Letter from Capt.* G. Chriſtie, *dated at* Albany, Auguſt 4, *Twelve o'Clock, to Governor* De Lancey; adviſing him, that he had juſt received Intelligence, by Expreſs, from General Webb, at Fort *Edward*, that a large Body of the Enemy, to the Amount of Eleven Hundred, had landed and inveſted Fort *William Henry*, and that he (Capt. *Chriſtie*) was in no Condition to give further Aſſiſtance to the ſaid Fort, having previouſly ſent thither all the Force he could ſpare from Fort *Edward*.

4. *A Letter from Mr.* Kennedy, *Preſident of the Council at* New-York, *dated from thence*, Auguſt 6, *to Governor* Denny; acquainting him, that Governor *De Lancey* embarked the Day before for *Albany*, and encloſing Copies of the Letters from Mr. *Bartman* and Capt. *Chriſtie*, to him, mentioned under No. 2 and 3.

5. *A Letter from Governor* De Lancey, *dated at* Albany, Auguſt 10, *Six o'Clock in the Morning, to the Council of* New-York; informing them, that the Firing at Fort *William Henry* ceaſed the Day before, at Six o'Clock, *A. M.* from which he apprehended the Fort had capitulated; and in the Poſtſcript tells them he was that Inſtant acquainted, by Expreſs from General *Webb*, the Fort had ſurrendered at Seven.

6. *A Letter from the Council at* New-York, *dated* Auguſt 12, *to Governor* Denny; encloſing the above Letter from Governor *De Lancey*, and deſiring immediate Aſſiſtance from this Government.

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1757. *Auguſt* 16. The Houſe taking into Conſideration the Governor's Speech, and the alarming Intelligence therewith laid before them, and being ſincerely deſirous to give all the Aſſiſtance in their Power to the diſtreſſed Colony of *New-York*, as ſoon as poſſible,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Vanhorn*, Mr. *Morton*, Meſſieurs *John* and *James Wright*, with Mr. *Yorke*, be a Committee to prepare a Bill for empowering the Governor to march a Part of the Troops of this Province to the Aſſiſtance of the Colony of *New-York*, now actually invaded by a formidable Body of *French*, with their ſavage *Indian* Allies, and in immediate Danger of being loſt to the Crown.

Adjournment. Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

Auguſt 17. The Committee appointed to prepare a Bill to enable the Governor to draw out and march a Part of the Troops of this Province to the Aſſiſtance of the Government of *New-York*, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read the firſt time, was ordered to lie on the Table for the Peruſal of the Members.

The ſaid Committee likewiſe delivered a Draught of a Meſſage to the Governor, intended to accompany the ſaid Bill when ſent up to his Honour, which was read, and referred to further Conſideration.

The Houſe being acquainted, that a Number of the Petitioners againſt *William Moore*, Eſq; of *Cheſter* County, were attending without, agreeable to the Notice given them for that Purpoſe,

Reſolved, That a Hearing of the ſaid Petitioners be deferred to *Thurſday* next, the Twenty-fifth Inſtant, and that the Clerk give them Notice to attend accordingly.

Ordered, That the Clerk give Notice to *William Moore*, Eſq; of the ſaid Appointment, in order that he may attend with the Petitioners at the Time aforeſaid.

Adjournment. Then the Houſe adjourned to Two o'Clock, *P. M.*

Poſt Meridiem. The Houſe reſumed the Conſideration of the Bill to enable the Governor to draw out and march One Thouſand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raiſed for the Aſſiſtance of the Province of *New-York*; which being read the ſecond time, was ordered to be tranſcribed.

The Meſſage intended to accompany the ſaid Bill being alſo read a ſecond time, was ordered to be tranſcribed, and brought in therewith.

Adjournment. Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

Auguſt 18. The Bill, entituled, *An Act to enable the Governor to draw out and march One Thouſand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raiſed for the Aſſiſtance of the Province of* New-York, being tranſcribed, was read the third time.

Reſolved, That the ſaid Bill do paſs.

The Meſſage to the Governor was read, and agreed to, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. WE are truly ſenſible of the Diſtreſs which the Province of *New-York* is under by the Invaſion of a *French* Army, joined by their ſavage Allies, and the Danger to which his Majeſty's Colonies in general are expoſed; and we think it our Duty to afford them all the Aſſiſtance in our Power, under our preſent Circumſtances, and that in the moſt expeditious Manner. For which Purpoſe we have prepared a Bill to enable your Honour to draw out Part of the Provincial Forces, and to march them to ſuch Parts of that Province as ſhall moſt require their Aid; and, that this Province may not in the mean Time be unprovided with the neceſſary Defence, to impower you, by giving a Bounty, to inliſt and take into immediate Pay, as many Men as will be ſufficient to ſupply their Places until the Provincials ſhall return to their Stations. The Meaſure propoſed by your Honour, we apprehend, would be attended with ſo much Delay, that the Aſſiſtance intended could not poſſibly arrive Time enough to be of any Service.—The raiſing of Volunteers, even for the Service of this Government, we have found by Experience to be very difficult, and requires much Time to inliſt but a ſmall Number of them, ſince the Province has been drained of its ſingle Men by the King's Officers in the Recruiting Service; ſo much, that the preſent Invaſion of the Colony of *New-York*, we apprehend, muſt be determined before they could be raiſed. But your Honour muſt be ſenſible, that our Frontier Inhabitants have received ſo little Protection from the Provincial Forces, under their preſent Management, that from one End of our Borders to the other they are obliged to keep Watch, for the Defence of their Lives and Properties, at their own Expence. A Number of theſe Men have applied to your Honour to be taken into Pay, and are willing to do all the Duties of Provincials, and, we conceive, would immediately enter as Volunteers, to defend the Frontiers, for a very ſmall Bounty, and the Provincials might thereupon be immediately diſpatched to the Relief of *New-York*. In order to do this with Expedition, we cannot avoid recommending it to you, to grant Commiſſions to ſuch Men as are intereſted in the Defence of the Province, have an Influence with the People, in whom they have a Confidence, and under whom they are willing to ſerve. By this Means only we know, from Experience, Volunteers are to

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be raised with Speed. In the Beginning of the *Indian* Depredations, when Officers and Men were wanted, and your Honour's Predecessor pursued this Measure, more than sufficient offered their Service without a Bounty; the same we are assured would be done on this distressing Occasion, and without this we are persuaded your Honour will not be able to raise a Number of Volunteers, either to defend the Frontiers in the Absence of the Provincials, or to march to the Assistance of the neighbouring Province: And therefore we entreat your Honour to exert yourself on this Occasion, and to issue a Proclamation, informing the People, that such as shall provide a Company of Men shall be immediately commissioned, and, with their Companies, be taken into Pay for the Defence of our Frontiers. 1757. *August* 18.

But as we are sincerely disposed to give every Aid in our Power on this Occasion, if your Honour, notwithstanding what we have offered, should think you can with more Expedition raise a Number of Volunteers in this City and the adjacent Counties, we have also in the Bill enabled the Commissioners, with your Approbation, to give a large Bounty to such as shall inlist for that Purpose, and to supply them with the necessary Arms and Ammunition."

The foregoing Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Denormandie* and Mr. *Trimble* wait on the Governor, and deliver the same, together with the above-mentioned Bill, for his Honour's Concurrence therewith.

A Petition from *Matthew Schropp* and *Johannes Bristell*, two of the *Moravian* Brethren at *Bethlehem*, was presented to the House and read, praying to be informed respecting the Provision that Society is to make, at the Expence of the Government, for Maintenance of the *Indians* who now are and such as may hereafter come to their said Settlement; and recommending that *Timothy Horsefield*, Esq; and Mr. *George Klein*, be vested with Powers to make such Provision as may be thought necessary for the said Purpose.

Ordered to lie on the Table.

The Gentlemen appointed to wait on the Governor with the Message from the House, and the Bill, entituled, *An Act to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of* New-York, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would immediately take them into Consideration, and give the said Bill all the Dispatch in his Power.

Ordered, That Mr. *Leech*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Masters*, Mr. *Denormandie*, Mr. *Trimble*, Mr. *James Wright*, Mr. *Webb*, Mr. *John Wright*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for forming and regulating the Militia of this Province.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Ordered, That Mr. *Owen* and Mr. *Smith* wait upon the Governor, and acquaint him, that, as his Honour had recommended to the House, in his Speech of the Sixteenth Instant, three Points in particular to be considered by them, *viz.*—1st, To enable the Governor to send immediate Assistance to the distressed Colony of *New-York*.—2dly, To frame and and present to him a Militia Bill, by which the natural Strength of this Province may be exerted. And 3dly, To improve the Peace lately concluded with the *Indians*. Pursuant to the said Recommendation the House had considered the first of those Particulars, and laid their Result before him: The second was in the Hands of a Committee appointed for that Purpose; and the House are now ready to enter upon the third; but cannot proceed for want of the Minutes of the *Indian* Treaty lately held at *Easton*, and therefore desire to know when his Honour will be pleased to lay the said Minutes before the House, and acquaint them with his Result upon the Bill sent up this Morning. *Post Meridiem*

The Members appointed to wait on the Governor, reported, they had delivered the foregoing Message according to Order; and that his Honour was pleased to say, a Copy of the Minutes of the late *Indian* Treaty, held at *Easton*, should be laid before the House as soon as it could be made ready, and that he had the Bill presented to him in the Forenoon then under Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

His Honour, by the Secretary, sent down the Bill, entituled, *An Act to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of the Province of* New-York, with his Amendments thereon. *August* 19.

The House taking the Governor's Amendments on the said Bill into immediate Consideration, admitted the same, and ordered the Bill to be engrossed accordingly.

Ordered, That Mr. *Blackledge* and Mr. *Trimble* wait on the Governor, and acquaint him, that the House agree to his Honour's Amendments on the Bill returned by the Secretary, and have ordered the said Bill to be engrossed accordingly; that they shall be ready to attend the Governor to see the same enacted into a Law at Three o'Clock this Afternoon, and will appoint two of their Members to meet the like Number of the Council to compare the engrossed Copy of the Bill with its Original.

1757. *August* 19. The Gentlemen appointed to wait on the Governor with the above Meſſage, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would be at the Council Chamber at Five in the Afternoon, to enact the ſaid Bill into a Law.

The Houſe being informed that *William M'Ilvaine*, Merchant, of the City of *Philadelphia*, had uttered publicly, in the Preſence of one of its Members, and others, certain falſe and ſcandalous Reflections on this Branch of the Legiſlature;

Ordered, That Mr. Speaker do immediately iſſue his Warrant to the Serjeant at Arms, requiring him to bring the ſaid *William M'Ilvaine* forthwith to the Bar of this Houſe, to anſwer ſuch Queſtions as ſhall then and there be put to him.

The Serjeant at Arms returned, and reported, that the ſaid *William M'Ilvaine* had abſconded, and was not to be found.

Adjournment Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem The Bill to enable the Governor to draw out and march One Thouſand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raiſed for the Aſſiſtance of the Province of *New-York*, being engroſſed,

Ordered, That Mr. *Blackledge* and Mr. *Trimble* meet the Members of Council to collate the engroſſed Copy of ſaid Bill with its Original.

The Members returned, and reported, they had joined with the Members of Council in comparing the engroſſed Bill with its Original, and found them to agree.

A Meſſage by Mr. Secretary:

"*SIR*,

"The Governor requires the Attendance of Mr. Speaker, and the Houſe, in the "Council Chamber immediately."

Then Mr. Speaker, with the whole Houſe, waited on his Honour; and being returned, Mr. Speaker reſumed the Chair, and reported, that the Houſe had waited on the Governor with the Bill, entituled, *An Act to enable the Governor to draw out and march One Thouſand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raiſed for the Aſſiſtance of the Province of* New-York, to which the Governor had been pleaſed to give his Aſſent, by enacting the ſame into a Law.

Ordered, That Mr. *Blackledge* and Mr. *Trimble* do ſee the Great Seal affixed to the ſaid Law, and the ſame depoſited in the Rolls Office.

The Committee appointed to prepare and bring in a Bill for forming and regulating the Militia of this Province, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table.

Ordered, That the ſame do lie on the Table for the Peruſal of the Members.

The Governor, by the Secretary, ſent down to the Houſe a Repreſentation preſented to him in Behalf of the late Inhabitants of *Nova Scotia*, which being read, and conſidered,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Pearne*, Mr. *Maſters* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for impoſing a Penalty on the Overſeers of the Poor of the ſeveral Townſhips of this Province, who ſhall neglect to make the neceſſary Proviſion for Support of the ſaid late Inhabitants of *Nova Scotia*, diſperſed therein, agreeable to the Act lately paſſed by this Houſe for that Purpoſe.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 20. The Members appointed to ſee the Great Seal affixed to the Law, enacted Yeſterday Afternoon, and the ſaid Law depoſited in the Rolls Office, reported, they had done the ſame according to Order.

The Draught of a Bill for forming and regulating the Militia of this Province, brought in Yeſterday by the Committee appointed for that Purpoſe, was read the firſt time, and *Ordered to lie on the Table.*

The Governor ſent down to the Houſe, by the Secretary, a Copy of the Treaty lately held at *Eaſton* between this Government and *Teedyuſcung*, King of the *Delawares*, together with a Letter from *George Croghan*, Eſq; to his Honour, informing him, that *Teedyuſcung* had deſired the Minutes of the ſaid Treaty might not be made public till tranſmitted to Sir *William Johnſon*, and publiſhed by him, or with his Aſſent.

The ſaid Minutes were in Part read.

Adjournment Then the Houſe adjourned to *Monday* next, at Four o'Clock in the Afternoon.

Auguſt 22. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Minutes of the late Treaty held at *Eaſton* (in Part read on *Saturday* laſt) were again taken up and read through.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Auguſt 23. Mr. *Maſters*, Mr. *Fox*, Mr. *Hughes* and Mr. *Galloway* (Provincial Commiſſioners) obſerving in the Minutes of the *Eaſton* Treaty, read laſt Night in Aſſembly, that a Remonſtrance from them to the Governor, in Behalf of *Teedyuſcung's* being allowed a Clerk, was inſerted in the ſaid Minutes, deſired Leave of the Houſe to have his Honour's Re-

ply

ply to that Remonstrance, and their Answer to the said Reply also, read before them; which being agreed to, the same were read accordingly. 1757.

Then the House adjourned to Three o'Clock precisely, *P. M.* *August* 23. Adjournment *Post Meridiem*

Mr. Speaker presented to the House a Letter he had received from *William Plumsted*, Esq; relating to the late *Northampton* Election, which was read.

The House being acquainted, that *William Parsons*, Esq; and some others, principally concerned in the late Election for the County of *Northampton*, were attending without, agreeable to Notice given them for that Purpose;

Ordered, That the said *William Parsons* be called in, which was accordingly done.

Mr. Speaker then, by Order of the House, acquainted him, that as it appeared from certain Affidavits, that he detained the Writ, issued to the Sheriff for holding that Election, so long as to prevent certain of the Inhabitants of the said County from receiving timely Notice thereof, with other illegal Practices respecting the said Election; the House had now summoned him before them to know what he could say in his Vindication, and to require that he would produce the Letter from the Secretary, inclosing the said Writ to him.

To which Mr. *Parsons* replied, that he did not indeed, as he had before acknowledged to the House, deliver the said Writ to the Sheriff till the Day after he received it, which was owing rather to an Error in Judgment than to any Party Views or dishoneſt Intentions: And as to the Secretary's Letter, which he engaged to lay before the House, it was not now in his Power to do it, as he had for some Years past made it a Rule, in order to prevent too great an Increase of Papers in his Office, to destroy all that came to his Hands, except those immediately relative to Business; and supposed that the Paper now demanded by the House, had, amongst others, been so destroyed; but humbly assured the House, that the Paper inclosing the Writ to him, contained (to the best of his Memory) no Letter, nor had any Writing on it, except the Superscription; and that he hoped the House would favour him with Copies of the Allegations contained in the said Affidavits against him.

He was then desired to withdraw, and Mr. Speaker having taken the Opinion of the House respecting his Request of Copies of the Charges against him, the said *Parsons* was again called in, and acquainted, that he should be furnished with the necessary Extracts from the Affidavits referred to: — He humbly thanked the House for their Indulgence, and desired the further Favour of Counsel, in Case he should think it necessary to his Vindication; which being granted, he withdrew.

Ordered, That Mr. *Hughes*, Mr. *Galloway* and Mr. *Masters* be a Committee to extract from the Affidavits, taken before the House, the Charges therein contained against the said *William Parsons*, and furnish him with Copies of the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from the Inhabitants of *Paxton* Township was presented to the House and read, setting forth, that the small Company of Provincials, stationed at Fort *Hunter*, being removed from thence, has left the neighbouring Settlements exposed to great Danger from Incursions of the *Indian* Enemy, insomuch that the People must soon be reduced to the Necessity of deserting their Habitations to preserve their Lives; and earnestly recommending and praying, that Fort *Halifax* may be evacuated, as useless, and its Garrison stationed at Fort *Hunter*, where they will not only be a Guard to the Petitioners, but can more effectually protect Supplies going up to *Augusta*. *August* 24.

The House having considered the said Petition, and being informed that *Matthew Cowdon*, on Behalf of the Petitioners, was attending without, ordered him to be called in, and acquainted him, that the House had taken their Petition into Consideration, and were touched with Compassion for the Sufferings and dangerous Situation of the Inhabitants in that Part of the Province; but as they had no Right to order any of the Provincial Forces to their Assistance, the Petitioners had judged well in presenting a Petition for that Purpose to the Governor, who had the Power of giving the Protection they asked; wherefore, they advised him to wait for his Honour's Determination, and acquaint the House with it.

Then the House adjourned to Two o'Clock, *P. M.* Adjournment

The Committee appointed to extract the Charges contained in the Affidavits taken before the House against *William Parsons*, Esq; reported, they had made an Essay for that Purpose, which they delivered at the Table, and the same being read, *Post Meridiem*

Ordered, That the Clerk make a fair Transcript thereof, and deliver it to the said *Parsons*, which was done accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Number of the Petitioners against *William Moore*, Esq; attending without, agreeable to Notice given for that Purpose, but the said *Moore* not appearing, though in the City, *August* 25.

Ordered, That the Clerk give him and the said Petitioners Notice to attend the House at Four o'Clock in the Afternoon.

The House resumed the Consideration of the Militia Bill, and having spent some Time therein, adjourned to Three o'Clock, *P. M.* Adjournment

William

1757. *Auguſt* 25. *Poſt Meridiem*

William Moore, Eſq; with a Number of the Petitioners againſt him, attending, according to Appointment, were called in, and Mr. Speaker, by Order of the Houſe, acquainted the ſaid *Moore*, that as many Petitions had been preſented to the Houſe, charging him with Oppreſſion and Injuſtice, in the Execution of his Office as a Magiſtrate, they had determined to allow the Petitioners a public Hearing before them; but as no Man ought to be condemned without an Opportunity of making his Defence, the Houſe thought it proper that he, the ſaid *Moore*, ſhould be preſent at the ſaid Hearing, and therefore he had been required to give his Attendance at this Time.

The ſaid *Moore* then delivered a Paper at the Table, and deſired it might be read, which was done accordingly.

He was then, with the Petitioners, and others, deſired to withdraw.

The Houſe having conſidered the Paper preſented by *William Moore*, ordered him to be again called in, and Mr. Speaker acquainted him, that the Houſe had no Doubt as to their Right of proceeding to hear and enquire into the Complaints of the Petitioners, at which he had Liberty to be preſent, and might take the Aſſiſtance of ſuch Counſel as he choſe; and that as it was neceſſary to his Defence he ſhould be furniſhed with Copies of the Petitions againſt him, they had been ſome Days in Readineſs for that Purpoſe, and ſhould be delivered him, which was accordingly done.—He then withdrew.

The Houſe taking into Conſideration that the ſaid *Moore*, though ſupplied with Copies of the Charges againſt him, was ſtill unprepared for an immediate Defence of his Character, and being unwilling to deprive him of any Aids and Opportunities neceſſary to it, notwithſtanding they were now wanting through his own Neglect to procure them, he was again ordered, with the Petitioners, to be called in; when Mr. Speaker further informed him, that the Houſe, though convinced by their Clerk, and his own Acknowledgments, of his having received ſufficient Notice of the Day appointed for a Hearing of the Allegations againſt him, to have provided himſelf with Copies of thoſe Allegations, which were in Time made out, and which he had purpoſely neglected to apply for, yet they had conſented to defer their Enquiry into the Complaints of the Petitioners till the firſt Day of *September* next, by which Time he might be fully prepared for his Vindication, and was required, with all the Petitioners preſent, to give his Attendance again on the Houſe.

In Anſwer to the above, the ſaid *Moore* confeſſed he had received ſome Days Notice from the Clerk of Aſſembly, that Copies of the Petitions were in Readineſs for him, but he was required to pay the Expence of tranſcribing them at the Time of Delivery, which had prevented his Application. Mr. Speaker replied, nothing could be more reaſonable than ſuch a Demand, and that the Clerk had the Authority of the Houſe for ſo doing.

He was then, with all the Petitioners, diſmiſſed, and the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment

Auguſt 26. A Petition from ſundry of the Inhabitants of *Derry* Townſhip, in *Lancaſter* County, was preſented to the Houſe and read, ſetting forth their Sufferings and Loſſes from the late Incurſions of the *Indian* Enemy, and praying that the Company of Provincials, ſtationed on that Part of the Frontier for their Protection, may be encreaſed, as they have Reaſon to believe the Number of the Enemy is conſiderable.

Ordered, That Mr. *James Read* and Mr. *James Biddle*, now in Town, be deſired to attend the Houſe at Three o'Clock in the Afternoon.

The Governor ſent down by the Secretary a Letter from Captain *Jacob Orndt*, dated at Fort *Allen*, *Auguſt* 19, 1757; acquainting his Honour, that he, with *Teedyuſcung*, and other *Indians*, were ſafely arrived at that Place; that the King, and his People, ſeemed well pleaſed, and did not blame any of their Brethren the *Engliſh* for the Death of the *Indian* near *Eaſton*, believing he had been killed by ſome of their own People; that *Teedyuſcung* deſired him to inform the Governor, that he *(Teedyuſcung)* had forgot, at the late Treaty, to appoint the Time when he ſhould come down, with other *Indians*, to ſettle at *Wyoming*, and therefore requeſted his Honour would be pleaſed to ſend Workmen thither this Fall, or early in the Spring, to build a ſmall Fort for the Security of their Wives and Children, and they would remove from *Diahogo* to it ſome Time in *May* next. —— *Teedyuſcung* went from Fort *Allen* on the Seventeenth much pleaſed, though he left ſeveral of the *Indians* ſick behind him.

With the ſaid Letter the Secretary delivered a verbal Meſſage from his Honour, deſiring the Houſe would take the Contents thereof into Conſideration, together with ſome other Matters recommended to them in a late Meſſage.

The Houſe then reſumed the Conſideration of the Militia Bill, and having made ſome Progreſs therein, adjourned to Three o'Clock, *P. M.*

Adjournment

Poſt Meridiem Mr. *James Read* attending, agreeable to the Requeſt of the Houſe, was called in, and aſked ſundry Queſtions reſpecting the Conduct of Colonel *Weiſer*, and his Battalion; which having anſwered, ſo far as was conſiſtent with his own Knowledge, and common Report, he withdrew.

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1757.
August 26.

The Petitioners from *Paxton* and *Derry* Townships, again attending, were called in, and acquainted the House, that the Governor had been pleased to appoint a Company of Fifty Men, under the Command of Captain *Busse*, to range from Fort *Hunter* to *Mannida Gap*, for their Protection, which in great Measure answered the Prayer of their Petition.——They then withdrew.

The House then went again upon the Militia Bill, and, after some Time spent therein, adjourned to Nine o'Clock To-morrow Morning.

Adjournment

August 27.

The House took up the Militia Bill again, and, after some Debates upon an additional Clause proposed to be admitted therein,

Ordered, That the said Clause be recommitted to the Committee who brought in the Bill.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

Adjournment

August 29.

The House met, pursuant to their Adjournment.

Post Meridiem

The Committee to whom the additional Clause in the Militia Bill was recommitted, reported, they had essayed an Amendment on the said Clause, which they delivered at the Table; and the same being twice read, and admitted into the Bill, the Whole was read the second time, and ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment

August 30.

A Petition from the Commissioners and Assessors of the County of *Berks* was presented to the House and read, setting forth, that many of the Inhabitants of said County are so much impoverished by the Losses sustained, and Interruptions given to Business, through the *Indian* Ravages on that Part of the Frontier, that they are unable to pay their usual Assessments, and praying that such may be exempted therefrom at the Discretion of the Commissioners for said County.

The Petitioners being called in, were acquainted, that it is the Opinion of the House, that the Commissioners of the said County are vested with Power by the County Rate and Levy Act to consider the Circumstances of the People, and make such Abatements in their Taxes as appear to them requisite.

The House then proceeded to the third Point recommended in the Governor's Message, *viz.* An Improvement of our Alliance lately concluded with the *Indians*, and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

Adjournment

Post Meridiem

The House resumed the Consideration of the Engagements entered into by the Governor with *Teedyuscung* at the late Treaty at *Easton*; and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

Adjournment

August 31.

Mr. Speaker brought into the House a Letter to him from Mr. *Charles Thompson*, Secretary to King *Teedyuscung*, together with a Copy of the Treaty lately held at *Easton*, delivered by the said *Thompson*, agreeable to the Request of *Teedyuscung*, that Mr. Speaker and the Assembly might transmit the same, with Copies of the Deeds, and other necessary Papers, to his Majesty, for his Royal Determination of the Disputes between the Proprietaries of this Province and the *Indians*, concerning the Purchases of Lands.

The said Letter being read, was ordered to lie on the Table, for the Perusal of the Members.

The House resumed the Consideration of the Governor's Speech of the Sixteenth Instant, relating to the Request of *Teedyuscung* in Behalf of the *Indians* at the late Treaty at *Easton*, and, after some Time spent therein,

Ordered, That Mr. *Walker* and Mr. *West* do wait upon the Governor with the following Message, *viz.*

"Under the third Head in your Honour's Speech of the Sixteenth Instant, you recommend to us "to make the best Improvement of the Alliance entered into with the *In-*
"*dians* at the late Treaty at *Easton*, by enabling you to comply with the several Re-
"quests the *Indians* made of you at the said Treaty, the Particulars whereof we should
"see from the Minutes."

By those Minutes it appears, that *Teedyuscung*, among other Things, informed your Honour, that the *Indians* intended to settle at *Wyoming*; and requested to have certain Boundaries fixed between them and the People of this Province, and a certain Tract of Land fixed, which it should not be lawful for them or their Children ever to sell, or for the Proprietaries, or any of their Children, ever to buy: To which you were pleased to answer, that you had considered *Teedyuscung's* Request in Behalf of the *Indians*, about a Settlement for themselves and their Posterity at *Wyoming*; that you were pleased they had made Choice of that Place; that it was perfectly agreeable to you; and you assured them you would heartily concur with him, in using all the Means in your Power to have those Lands settled on them and their Posterity, agreeable to *Teedyuscung's* Request.

This Request appears to us so reasonable and necessary for securing the Frontiers of this Province from the Inroads of the Enemy, by settling the *Indians* at *Wyoming*, that if your Honour has Power, as you have declared your Inclination, to have those Lands settled upon them and their Posterity, in the Manner they have proposed, we shall immediately prepare and offer you a Bill to be enacted into a Law for that Purpose."

1757.

Then the Houſe adjourned to Three o'Clock, *P. M.*

Auguſt 31. *Poſt Meridiem*

The Members appointed to wait on the Governor with a Meſſage in the Forenoon, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take it into immediate Conſideration, and give the Houſe an Anſwer.

The Houſe then reſumed the Conſideration of the Governor's Speech of the Sixteenth Inſtant, relating to the Requeſt of *Teedyuſcung*, in Behalf of the *Indians* at the late Treaty at *Eaſton*; and, after ſome Time ſpent therein,

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Maſters*, Mr. *Gibbons*, Mr. *Webb*, Mr. *Denormandie*, Mr. *Allen*, Mr. *Weſt* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for eſtabliſhing a Trade with the *Indians*, furniſhing them with Corn for their Support, until they can raiſe it themſelves; alſo to ſend Miſſionaries and Schoolmaſters among them to inſtruct them in the *Chriſtian* Religion, and their Children in Reading and Writing.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 1.

A Petition from *Nicholas Scull*, Eſq; of this City, was preſented to the Houſe and read, praying Aſſiſtance towards publiſhing his general Map of the Province of *Pennſylvania*.

The Houſe taking into Conſideration the Uſefulneſs and Expence of publiſhing the ſaid Map,

Reſolved, That the Sum of *Fifty Pounds* be allowed to the ſaid *Scull* by this Houſe, towards finiſhing and publiſhing the ſame.

The Bill for forming and regulating the Militia of this Province being tranſcribed, was read the third time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Roberdeau* and Mr. *Yorke* wait upon the Governor, and deliver the ſame, for his Concurrence therewith.

Adjournment

Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem

The Members appointed to wait on the Governor with the Militia Bill, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take it into immediate Conſideration.

The Governor, by the Secretary, ſent down a verbal Meſſage to the Houſe, which was read, and is as follows, *viz.*

" IN Anſwer to your verbal Meſſage, by two of your Members, *That if I had Power* " *to have the Lands, requeſted by the* Indians *at the late Treaty, ſettled upon them and their* " *Poſterity, in the Manner they then propoſed, you would immediately prepare and offer me* " *a Bill to be enacted into a Law for that Purpoſe*; I am obliged to acquaint you, that " I have no ſuch Power, of which you muſt be perfectly ſatisfied by the Peruſal of the " Commiſſions of Government and Property, Copies of which are entered upon your " Minutes.

" Being very ſenſible of the Expediency and many Advantages that will reſult to this " Province by ſettling the *Indians* at *Wyoming*, and appropriating to them a ſufficient " Quantity of Land for Planting and Hunting, I aſſured the *Indians* at the late Treaty, " that the Proprietaries had not purchaſed thoſe Lands from the *Indians*, and in their " Names diſclaimed all *Indian* Right to the ſame. I ſhall write them by the firſt Op- " portunities, and deſire, in the moſt preſſing Manner, that they would not only ſend " me Powers to confirm thoſe Lands to the *Indians*, but that they would alſo ſolicit the " *Six Nations*, who have the *Indian* Right, to join with me in ſuch Confirmation, and " in aſcertaining ſuch Boundaries as ſhall be agreeable to them, to which I have not the " leaſt Doubt they will readily conſent."

The Serjeant at Arms having been ordered in the Forenoon to wait on *William Moore*, Eſq; at his Lodgings in the City, and acquaint him, that the Petitioners againſt him being come to Town, agreeable to Appointment, would be heard and examined before the Houſe this Afternoon, reported, he had been to the Lodgings of the ſaid *Moore*, and was informed by his Daughter, that he was not in Town, but at *Cheſter*, attending the Court.

The Petitioners were then called in, and being qualified, were examined on their reſpective Petitions, with ſuch Evidences as they could produce in Support of them.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 2.

The Houſe having ſpent ſome Time in examining ſeveral others of the Petitioners againſt *William Moore*, adjourned to Three o'Clock, *P. M.*

Adjournment *Poſt Meridiem*

The Petitioners againſt *William Moore*, Eſq; being examined, the Houſe adjourned to

Adjournment

Ten o'Clock To-morrow Morning.

September 3.

A Petition from the Inhabitants of *Hanover* and *Paxton* Townſhips was preſented to the Houſe and read, praying a Continuance of the Men under Meſſieurs *Read* and *Hendrick*, in the Pay of the Province, for their Protection, ſeveral late Murders having been committed by the Enemy in the ſaid Townſhips.

A Pe-

A Petition from *Joseph King*, of this City, was presented and read, praying to be continued the Officer for inspecting and branding Flour exported from this Province. 1757. *September* 3.

The House then taking into Consideration the Minutes of Council, sent down by the Secretary, together with the late Conferences held at *Easton*, and the Governor's verbal Message; after some Time spent therein,

Ordered, That Mr. *Yorke* and Mr. *West* wait upon the Governor with the following verbal Message, *viz.*

"UPON considering the late Treaty at *Easton*, and the Minutes of Council of the 30th of *August* last, laid before us by your Honour, it gives us great Pleasure to find that the *Ohio Indians* are willing to join in the Peace concluded at *Easton*, and the *Shawanese*, *Mohiccons* and *Unamies* are desirous of settling on *Susquehannah*, and have requested your Honour, by their several Chiefs, to build a little Fort at *Wyoming*, for the Safety of their Wives and Children.

The securing an *Indian* Barrier to the Frontiers of this Province is of so much Importance to the Safety and Welfare of the People, that we are of Opinion, a Compliance with this Request should not be postponed a Moment longer than necessary: Therefore we earnestly entreat your Honour, with all Expedition, to proceed to build such a Place of Security as shall be agreeable to the *Indians*, and as many Houses as they shall stand in Need of, at the Place nominated by *Teedyuscung*, for their comfortable Living and Safety.

To enable your Honour to do this, we have recommended it to the Commissioners to defray the Expence thereof out of the *One Hundred Thousand Pounds* lately granted to his Majesty's Use.

The other Matters mentioned in your Honour's Speech, relative to *Indian* Affairs, we have now under our Consideration, and shall proceed to do every Thing in our Power to enable your Honour to comply with the reasonable Demands of the Natives, and to secure their Affections to his Majesty's Interest.

And that they further acquaint the Governor, that as the House are sincerely desirous to have the Matters mentioned in the said Message carried effectually, and without Loss of Time, into Execution, it will be very agreeable to them, in case public Affairs should not admit the Governor's superintending such a Work in Person, that one of the Provincial Commissioners, who, at the Request of the House, has generously offered his Service, might be vested with proper Powers for that Purpose."

Then the House adjourned to *Monday*, the 12th Instant, at Four o'Clock in the Afternoon. Adjournment *September* 12.

Mr. Speaker, with Nineteen of the Members, met, agreeable to Adjournment; but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning. *Post Meridiem* Adjournment

Mr. Speaker, with Nineteen of the Members, met again, agreeable to Adjournment; but four being still wanting to make a Quorum, they adjourned to Four o'Clock, *P. M.* *September* 13. Adjournment

Mr. Speaker, with the Members present in the Forenoon, met again, agreeable to their Adjournment; but the same Number being still wanting to make an House, *Post Meridiem*

Ordered, That Mr. *Roberdeau* and Mr. *Pearne* wait on the Governor, and acquaint him, that as a Number of Members sufficient to make an House is not come to Town, and some of them are known to be sick, and incapable of attending, if the Governor hath no Objection, they incline to adjourn to next *Monday*, to give Notice to their absent Members to attend the Service of the House.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order; and that his Honour was pleased to say, he should be glad if the Members already met would adjourn to the Morning only, as he had Matters of Importance to lay before them, if there should then be a Quorum.

Then the Members adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members in Town met, agreeable to Adjournment; but a Quorum not yet appearing, they adjourned to *Monday*, the Nineteenth of this Instant, at Four o'Clock in the Afternoon. *September* 14. Adjournment

The House met, pursuant to their Adjournment. *September* 19.

The Gentlemen appointed to wait on the Governor with a verbal Message from the House of the Third of *September*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into Consideration. They then delivered their further Charge, relating to the Building of Houses for the *Indians* at *Wyoming*, and acquainted the Governor, that if public Affairs rendered it inconvenient for him to superintend that Work, one of the Commissioners had offered to do it, provided his Honour would vest him with proper Powers for that Purpose; after asking who was the Person, and being told it was Mr. *Hughes*, his Honour said, "it was very kind in Mr. *Hughes* to offer himself for that Service;" and was pleased to add, "that the Affairs of the Government of the Lower Counties in a short Time required his Presence at *New-Castle*, but he would take that also into Consideration." *Post Meridiem*

Ordered, That Mr. *Owen* and Mr. *Walker* wait on the Governor, and acquaint him, that

1757. that a Quorum of the Members being now met, they desire to know if his Honour hath any Business to lay before them.

September 19. Adjournment

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 20. The Gentlemen appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, the Secretary should wait on the House with a Message in the Morning.

The Governor sent down, by the Secretary, a written Message, dated the Twelfth of *September*, with a Letter from Captain *Orndt*, at Fort *Allen*, to *Timothy Horsefield*, Esq; Also a Letter from the said *Horsefield* to the Governor.

The Governor's Message being read, follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'ON *Friday* last, in the Evening, an Express brought me a Letter from Justice *Horsefield*, dated the 8th Instant, in which was inclosed one wrote the Day before from the Commanding Officer at Fort *Allen*, informing him, that two *Indians* were arrived there in six Days from *Diahogo*, with Advice of their having met with five *Frenchmen* and five *French Indians*, who told them they expected to be joined by Twenty more *French Indians*, and would go to *Minisink*, and from thence to all the Forts on the Frontier, to spy them, and try to get Prisoners, that they might see and enquire which would be the most convenient Way to fall, with the *French*, on this Province.

'Mr. *Horsefield* acquaints me, that on this Letter being communicated to *Teedyuscung*, he gave it as his Advice, that this Government should immediately fix what Rewards they would allow for Scalps and Prisoners, and send him a Belt of black Wampum, with an Account of it. He added, that though he did not at the Treaty urge for a positive Answer to this Point, which he remembers to have been then mentioned by him, yet now he saw a Necessity for it, and hoped I would dispatch the Messenger with it.

'The Provincial Commissioners, at my Instance, met early on *Saturday* Morning, and on laying the Letters before them, referred me to one of theirs, wrote upon the Subject at *Easton*, and though I then concurred with them in Opinion, that it was not expedient at that Time to promise any Rewards for Scalps, yet as the *French Indians* are now renewing their Ravages on the Frontiers, and our Friendly *Indians* do not incline to act even defensively for us, without fixing the Rewards for Scalps, I think the Cruelty of our Enemies, and the pressing Necessity of the present Occasion, loudly demand a Compliance with their Request. I need not observe to you of what Importance it is to this Province to secure the Friendship of the *Indians*, and engage them heartily to join us in opposing the Designs of the Enemy; and as it is not reasonable to expect that this can be done without making them ample Satisfaction for their Services, I most earnestly recommend it to you to take this Matter into your serious Consideration, and enable me immediately to return a satisfactory Answer to the *Indian* Chief, at *Bethlehem*, by the Express, who is detained by me for that Purpose.

September 12, 1757. *WILLIAM DENNY.*"

The Governor likewise sent down, by the Secretary, another Message, which was read, and is as follows, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'YOU well know, that at the earnest Request of the *Indians*, Promises have been made them on the Part of the Government, that a Trading-house should be established at Fort *Augusta*, within this Province, well furnished with a suitable Assortment of Goods, where they might vend their Skins and Peltry, and be reasonably supplied with such Necessaries as they might want.—Yo will see by the Letters herewith sent you, that Thirty *Delaware Indians* lately came down to the Fort, in Consequence of these Promises, with Skins, in order to trade with us, but finding no Goods there, some of them are gone away very much dissatisfied. As therefore it is not in my Power to take any Steps in this Matter, which is a very important and interesting one to the People of this Province, without your Aid and Assistance, I must earnestly recommend it to you, without Loss of Time, to prepare a Bill for regulating the *Indian* Trade, and enable me to keep the Public Faith with them.

September 19, 1757. *WILLIAM DENNY.*"

With the above Message from the Governor the Secretary delivered the following Papers, *viz.*

1. *A Letter from Major* Burd; dated at Fort *Augusta*, the Eighth of this Instant.

2. *A Letter from Captain* Thomas M'Key; dated at *Lancaster*, the Thirteenth of this Instant.

3. *A Letter from Lieutenant* Hyndshaw; dated at *Smithfield*, the Ninth Instant.

4. *A*

4. *A Petition to the Governor from the Artificers and Shipwrights, taken Prisoners at* Oswego, praying his Honour would recommend to the House to advance them a Sum of Money to supply their present Necessities, and promising thankfully to repay the same, when they shall receive from the Crown the Wages due for their Services. 1757. *September* 20.

At the same Time the Secretary returned the Bill for forming and regulating the Militia of this Province, with the Governor's Amendments thereon, which being read, and considered, the Question was put, Whether the House adhere to their Bill? and the same was unanimously *Resolved in the Affirmative.*

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters*, Mr. *Denormandie* and Mr. *Morton* be a Committee to prepare an Answer to the Governor's Speech at the Beginning of this Session.

The Members appointed to prepare and bring in a Bill for regulating the *Indian* Trade, reported, they had essayed a Draught for that Purpose, which they delivered in, and the same being read, was ordered to lie on the Table for the Perusal of the Members.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Bill for regulating the *Indian* Trade, which was read the second time; and, after some Amendments thereon, ordered to be transcribed for a third Reading. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to bring in a Supplement to the Act, entituled, *An Act for binding out and settling such of the Inhabitants of* Nova Scotia *as are under Age*, &c. reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for the Perusal of the Members. *September* 21.

Ordered, That Mr. *Baynton*, Mr. *Hughes*, Mr. *Masters*, Mr. *Gibbons*, Mr. *Webb*, Mr. *West* and Mr. *Yorke* be a Committee for inspecting and settling the Accounts of incidental Charges for the current Year.

A Bill to enable *Richard Hill* and *Samuel Preston Moore* to make legal Titles to certain Lots and Lands in this City and Province, sold and leased by *Richard Hill*, junior, Son and Brother-in-Law to the Petitioners, was brought in by Leave of the House, and read the first time.

A Letter from *John Smith*, Esq; of *Cumberland* County, with an Account for certain Services done the Province, being presented to the House, read and considered, the said Account was referred to the Committee of Accounts.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Bill for regulating the *Indian* Trade being transcribed, was read the third time. *Post Meridiem*

Resolved, That the said Bill do pass.

Ordered, That Mr. *Hunt* and Mr. *Grubb* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Bill for regulating the *Indian* Trade, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he was glad the House had been so expeditious in presenting him with a Bill of such Importance, which he would immediately take into Consideration, and give it all the Dispatch in his Power. *September* 22.

The Supplement to the Act for binding out and settling such of the Inhabitants of *Nova Scotia* as are under Age, *&c.* being read the second time, was ordered to be transcribed for a third Reading.

The Committee appointed to bring in a Supplement to the Laws in Force for repairing and regulating the Highways within this Province, reported, they had prepared a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered to lie on the Table for the Perusal of the Members.

The Bill to enable *Richard Hill*, and *Samuel Preston Moore* and *Hannah*, his Wife, to comply with, ratify and confirm, certain Agreements, *&c.* being read the second time, was ordered to be transcribed.

Ordered, That Mr. *Leech*, Mr *Galloway* and Mr. *Masters* be a Committee to inspect the Flour Act, and report to the House at what Time the said Act expires.

The Bill, entituled, *A Supplement to the Act*, entituled, *An Act for binding out and settling such of the Inhabitants of* Nova Scotia, *imported into this Province, as are under Age*, &c. being transcribed, was read the third time.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Members appointed to wait on the Governor with the Supplement to the Act, entituled, *An Act for binding out and settling such of the Inhabitants of* Nova Scotia, *imported into this Province, as are under Age*, &c. reported, they had delivered the same ac- *Post Meridiem*

1757. cording to Order; and that his Honour was pleaſed to ſay, he would take it immediately into Conſideration.

September 22. The Committee appointed to inſpect the Flour Act, made their Report in Writing, which was read, and follows in theſe Words, *viz.*

Report of the Committee relating to the Flour Act.

IN Obedience to the Order of the Houſe, we have examined the Laws relating to the Exportation of Flour, and find, that at a Seſſions of Aſſembly, held in the Year 1733, a Law was paſſed to prevent the Exportation of Flour not merchantable, which Law is without Limitation of Time; that afterwards, in the Nineteenth Year of his preſent Majeſty, a Supplementary Act was made, which continued for four Years, and from thence to the End of the next Seſſions of Aſſembly; that on the Eighteenth Day of *Auguſt*, in the Year 1750, and before the Expiration of the ſaid Supplementary Act, another Supplementary Act was paſſed, which continued the ſaid firſt Supplementary Law for ſeven Years from the Publication thereof, and from thence to the End of the next Seſſions of Aſſembly; and that this preſent Sitting of Aſſembly began on the Eighth of *Auguſt* laſt. Upon this State of the Facts reſpecting the Flour Acts, your Committee conceive, that all the ſaid Laws are yet, and will remain, in Force, until the next Seſſions of Aſſembly; and that the further Conſideration of the ſaid Laws may be poſtponed to the next Seſſions, without any great Inconveniency to the Public. —— *Submitted to the Houſe, by*

THOMAS LEECH, JOSEPH GALLOWAY."
WILLIAM MASTERS,

The Houſe, upon Conſideration of the foregoing Report,

Reſolved, That they are of Opinion the Flour Act continues in Force to the next Sitting of Aſſembly.

The Bill for enabling *Richard Hill*, and *Samuel Preſton Moore* and *Hannah*, his Wife, to comply with, eſtabliſh, ratify and confirm, certain Agreements, *&c.* being tranſcribed, was read the third time.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Walker* and Mr. *Blackledge* wait on the Governor therewith, for his Aſſent to the ſame.

The Memorial of *William Moore*, Eſq; was preſented to the Houſe and read.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 23. The Members appointed to wait on the Governor with the Bill for enabling *Richard Hill*, and *Samuel Preſton Moore* and *Hannah*, his Wife, to comply with, eſtabliſh, ratify and confirm, certain Agreements, *&c.* reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take it into immediate Conſideration.

A Petition from the Grand-Jury of the Court of Quarter-Seſſions was preſented to the Houſe and read, praying they would be pleaſed to reviſe and reconſider the Laws relating to the Amending of High-ways, and make ſuch Additions thereto as may render the ſame effectual for the good Purpoſes intended.

Ordered, That *William Parſons*, Eſq; have Notice to attend the Houſe at Five o'Clock in the Afternoon.

The Houſe taking into Conſideration the Circumſtances of the Trade of this Province, and the late Act of Parliament, entituled, *An Act to prohibit for a limited Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork, Bacon, and other Victual (except Fiſh, Roots and Rice, to be exported to any Part of* Europe, *Southward of* Cape-Finiſterre) *from his Majeſty's Plantations in* America, *unleſs to* Great-Britain *or* Ireland, *or to ſome of the ſaid Colonies and Plantations*, &c. and obſerving that his Majeſty, by a Proviſo in the ſaid Act, is impowered by his Royal Proclamation or Proclamations, by and with the Advice of his Privy Council, or by his Majeſty's Order in Council, from Time to Time, to permit and ſuffer his Majeſty's Subjects to export and carry out of all or any of the ſaid Colonies, all or any of the ſaid Commodities; and being convinced, that the Reſtrictions in the ſaid Act, confining our Trade with Proviſions to *Great-Britain* and *Ireland*, and his Majeſty's Colonies in *America*, will prove greatly detrimental, as well to the trading Part of the People here, as to the Merchants in *Great-Britain*.

Reſolved, That the Committee of Correſpondence do give the Agents in *Great-Britain* Inſtructions to addreſs his Majeſty in Behalf of this Province, beſeeching him, that he would be graciouſly pleaſed, by his Royal Proclamation, to take off the Prohibitions in the ſaid Act contained, ſo far as they relate to the Trade of this Colony with the Iſland of *Madeira*, and other *European* Neutral Ports.

Mr. *Charles Thompſon*, Secretary to *Teedyuſcung*, King of the *Delawares*, at the late Treaty at *Eaſton*, having, agreeable to the public Requeſt of the ſaid *Indian* King, delivered a Copy of the Minutes of that Treaty, addreſſed to *Iſaac Norris*, Eſq; Speaker of Aſſembly,

Assembly, by a Letter from the said *Thompson*, prefixed to the said Minutes, the same were laid before the House, and being read, were ordered to lie on the Table. 1757.

Then the House adjourned to Three o'Clock, *P. M.* *September* 23. Adjournment

The Clerk having been ordered to give Notice to *William Parsons*, Esq; to attend the House this Afternoon, reported, that on Enquiry for the said *Parsons* at his Lodgings, he was informed, he had been gone out of Town, some Days, to *Amboy*, for the Recovery of his Health, and was not expected to return again to *Philadelphia*. *Post Meridiem*

The Governor returned to the House, by the Secretary, the Bill, entituled, *An Act to enable* Richard Hill, *and* Samuel Preston Moore *and* Hannah, *his Wife, to comply with, establish, ratify and confirm, certain Agreements*, &c. Also the Bill, entituled, *A Supplement to the Act for binding out and settling such of the Inhabitants of* Nova-Scotia, *imported into this Province, as are under Age*, &c. with a verbal Message, that his Honour agreed to the said Bills, and would enact the same into Laws, whenever presented to him for that Purpose.

At the same Time the Secretary returned the Bill, entituled, *An Act for preventing Abuses in the* Indian *Trade*, &c. with the Governor's Amendments thereon, which were read, and ordered to lie on the Table, for the Perusal of the Members.

Ordered, That the two Bills, to which the Governor hath given his Assent, be engrossed.

The Secretary likewise delivered at the Table a written Message from the Governor, with a Copy of some Resolutions of the House of Commons of *May* 23, 1757, upon certain Resolutions of the Assembly of the Island of *Jamaica*, of the Twenty-ninth of *October*, 1753; also a Letter from *John Pownal*, Secretary of the Lords of Trade, dated *June* 3, 1757, *Whitehall*, to Governor *Denny*.

His Honour's Message was read, and is as follows:

GENTLEMEN,

'IN Consequence of Directions I have received from the Lords Commissioners for Trade and Plantations, I lay before you a Copy of Resolutions of the House of Commons, of the Twenty-third of *May*, 1757, upon certain Resolutions of the Assembly of the Island of *Jamaica*, of the Twenty-ninth of *October*, 1753, with the Letter on that Occasion. A Message from the Governor to the Assembly.

September 23, 1757. *WILLIAM DENNY*."

The House resuming the Consideration of the last Election of a Member for the County of *Northampton*, and having spent some Time therein, the Question was put, Whether the said Election for that County be a legal Election? and the same was, by a great Majority of the Members, *Resolved in the Negative*.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Petitions against *William Moore*, Esq; of *Chester* County; and, after some Time spent therein, adjourned to next *Monday*, at Four o'Clock in the Afternoon. *September* 24. Adjournment

The House met, pursuant to their Adjournment. *September* 26.

The two Bills, to which the Governor gave his Assent last Week, being engrossed, were compared at the Table with their Originals. *Post Meridiem*

The House took into Consideration the Governor's Amendments on the Bill for preventing Abuses in the *Indian* Trade, *&c.* and the Question being put, Whether the House adhere to their Bill? the same was unanimously *Resolved in the Affirmative*.

Ordered, That Mr. *Hughes*, Mr. *Baynton*, Mr. *Pearne*, Mr. *Gibbons*, Mr. *Webb*, Mr. *West* and Mr. *Yorke* be added to the Committee appointed to prepare an Answer to the Governor's Speech, and that the said Committee bring in the said Answer by Ten o'Clock To-morrow Morning.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait on the Governor, and acquaint him, that the two Bills, to which he was pleased to give his Assent last Week, being engrossed, the House desire to know when they shall wait on his Honour to see the same enacted into Laws.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would attend in the Council Chamber precisely at One o'Clock To-morrow, to enact the two Bills, to which he lately gave his Assent, into Laws. *September* 27.

Ordered, That Mr. *Pearne* and Mr. *Baynton*, meet the Members of Council, to compare the engrossed Copies of the said two Bills with their Originals, see the Great Seal affixed thereto, and the same deposited in the Rolls Office.

The Gentlemen appointed to join the Members of Council in comparing the said Bills, reported, they had done the same and found them to agree.

A Message

1757. *September* 27. A Meſſage from the Governor by the Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Houſe, in the "Council Chamber, immediately."

Then Mr. Speaker and the whole Houſe, waited on the Governor, and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on his Honour, with two Bills, one entituled, *A Supplement to the Act*, entituled, *An Act for binding out and ſettling ſuch of the Inhabitants of* Nova Scotia, *imported into this Province, as are under Age, and for maintaining the Aged, Sick and Maimed, at the Charge of the Province*; the other entituled, *An Act to enable* Richard Hill, *and* Samuel Preſton Moore *and* Hannah, *his Wife, to comply with, eſtabliſh, ratify and confirm, certain Agreements, made between the ſaid* Samuel Preſton Moore *and* Richard Hill, *late of the City of* Philadelphia, *jointly, of the one Part, and divers other Perſons of the other Part; and alſo between the ſaid* Richard Hill, *deceaſed, ſeparately, of the one Part, and divers Perſons of the other Part, which were entered into by them in the Life-time of the ſaid* Richard Hill, *deceaſed, ſome of whoſe Heirs and Deviſees are under Age*. Both which Bills the Governor was pleaſed to give his Aſſent to, by enacting the ſame into Laws.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe reſuming the Conſideration of the Petitions preſented to them againſt *William Moore*, Eſq; of *Cheſter* County, and the Evidence produced in Support of them,

Reſolved, That it is the Opinion of this Houſe, that the ſaid *William Moore* hath greatly miſbehaved himſelf in his Office of a Juſtice of the Peace, and that he has been guilty of ſundry arbitrary, extortionate and fraudulent Practices, in manifeſt Violation of his Duty, and to the great Oppreſſion of the People.

Reſolved, That an Addreſs be drawn up and preſented to the Governor, requeſting him to remove the ſaid *William Moore* from the Office of Judge of the Court of Common-Pleas, and Juſtice of the Peace, and from all other public Offices, Poſts and Employments whatſoever, if ſuch other he holds and enjoys.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Gibbons* and Mr. *Yorke* be a Committee to prepare an Addreſs to the Governor, for the Purpoſes mentioned in the foregoing Reſolve.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 28. The Committee appointed to bring in an Anſwer to the Governor's Speech, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read, was agreed to, and ordered to be tranſcribed.

The Committee appointed to draw up an Addreſs to the Governor, for the Removal of *William Moore*, Eſq; from his public Offices, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read, was ordered to be tranſcribed.

Adjournment. Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem. The Houſe taking into Conſideration the Governor's Amendments on the Bill for preventing Abuſes in the *Indian* Trade, *&c.* agreed to ſome of the ſaid Amendments, and in others adhered to their Bill.

The Anſwer to the Governor's Speech, and the Addreſs for the Removal of *William Moore*, Eſq; from his Offices, being tranſcribed, were ſigned by the Speaker, and follow in theſe Words, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. HAVING, by our Meſſage of the Eighteenth of *Auguſt* laſt, anſwered that Part of your Speech relating to the Succour of the City and Province of *New-York*, and complied with every Thing you requeſted of us on that Occaſion; permit us to take under our Conſideration the Remainder of it, and make ſuch Remarks thereon, as a Regard for the Rights of the People and our bleeding Country obliges us to do.

There was a Time when your Honour was pleaſed to declare, that "the Protection "of the Province, and the Supporting the People in the Enjoyment of their Civil and "Religious Rights, was what your Duty as well as Inclination would lead you to," but we are ſorry to find that Time but of a ſhort Duration. More Pains ſeem now to be taken to deſtroy than "ſupport" our Rights; to perſuade the World to believe that we are unwilling to defend the Province, than defend it, or to unite in Meaſures for that Purpoſe; and that we have "ſet Danger at a Diſtance, and preſumed to treat the Ac-"counts thereof as the Tales of a Day," than to guard againſt and protect us from that Danger. 'Tis true, ſo little Care has been taken to gain Intelligence of the Enemy's Motions and Deſigns, that our Accounts thereof are generally ſo confuſed, no one can depend on them, and but few of them hitherto have proved to be true: Whether they were "invented or exaggerated through Party Views," we cannot determine, nor did we ever charge them to be ſo; the firſt Hint thereof comes from the Governor, and it is more than probable he may know it to be true. But we cannot help ſaying, this Inſinuation,

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ſinuation, ſo artfully made againſt us, is without the leaſt Foundation, and as unkind as it is unjuſt: And that had your Honour the ſame Senſe of the Danger you can ſo well deſcribe, and the ſame Motives and Inclinations to defend the Province, and protect our "Civil and Religious Rights," as we have, they muſt have prevailed on you to paſs one among many of the reaſonable and neceſſary Bills that have been preſented to you for thoſe Purpoſes; nor would you have had Occaſion ſo repeatedly to call on us for the framing of Bills, at a great Expence to the People, which neither your Duty or Inclination, if we may judge from your Actions, could prevail on you to enact into Laws.

No one, unacquainted with the Tranſactions between us, upon Peruſal of your Speech, would ſuſpect that we had ever offered for your Aſſent reaſonable Bills for the Defence of the Province, or that you were by any Means concerned in preventing us from being "put into a Poſture to defend ourſelves, or aſſiſt our Neighbours," but that the whole Blame was juſtly imputable to the Aſſembly. Weak and prejudiced Men may be deceived by ſpecious Inſinuations, but it ſhould be remembered, that they are not, with the Candid and Unprejudiced, ſufficient to invalidate notorious and inconteſtable Facts. This Aſſembly have done every Thing they on their Parts could do, conſiſtent with the Rights and Privileges of the People. In the early Part of our Seſſion we *prepared* a Bill for granting *One Hundred Thouſand Pounds* to the King's Uſe, which you rejected: Another was immediately offered, which would have met with the ſame Fate, had not a Regard for Juſtice, his Majeſty's Intereſt, and the Welfare of the People, prevailed on a worthy Nobleman to interpoſe. Great Part of the ſaid Sum is already expended, in paying the Troops under your Honour's Command, and yet, what Service has been done by thoſe Troops? What Protection has the Province received from them? Have they relieved the Frontier Inhabitants from the inſupportable Burdens of keeping Watch Night and Day at their own Expence? Or has a ſingle *Indian* been killed or taken Priſoner by them, though our Enemies have been continually committing Depredations on the Frontiers, and conſtantly murdering the People? The Law expreſsly directs, that Eleven Hundred of the Troops ſhould be employed in making Incurſions into the Enemy's Country, to watch their Motions, gain Intelligence, and communicate their Deſigns in Time to the Inhabitants, that they might be prepared againſt them. But this eſſential Part of the Law, and our Defence, has been altogether neglected: Theſe are Facts "too flagrant, "and too fatally felt" by our unhappy Frontiers, to require Proof. The Fault muſt lie ſomewhere; it cannot be juſtly charged to us; we have granted a ſufficient Number of Men to protect the Province, and Supplies to ſupport them, and more than the People are able to bear another Year. — This is all we had a Right to do, or could do, the reſt was the Duty of the Governor. From a View of theſe Facts it will readily appear who it is that neglects the Protection of the Province, or has failed on their Parts to put it into a Poſture of Defence.

Your Honour is pleaſed again to call on us for an "equitable and conſtitutional Militia "Law;" this we apprehend we have more than once complied with. At our firſt Seſſions we prepared a Bill equitable in all its Parts, adapted to the Genius of the People, and to preſerve the Conſtitution of the Government. At our next Adjournment, having taken in many of your Amendments, we ſent you up a ſecond; and ſince our preſent Sitting, more of your Amendments being agreed to, we preſented you with a third, enabling you not only to defend the Province, but to aſſiſt our Neighbours in Times of Diſtreſs and Invaſion: But all theſe Bills you were pleaſed to reject as unequal and unconſtitutional. What the Governor means by an "equitable and conſtitutional Militia Law," we may readily perceive by his Amendments; a Law that will oblige the Inhabitants to take a Teſt as to their religious and conſcientious Scruples. If this be equitable and conſtitutional, it is the Equity and Conſtitution of *Portugal*, or ſome other *Popiſh* Countries, where the Inquiſition is in Uſe, and not of any free Government, where the People enjoy their religious Liberties. That it is not conſtitutional in the Opinion of the Crown and a *Britiſh* Parliament, is evident, they having made a Law exempting the *Moravians*, or Congregations of the *Unitas Fratrum*, in *America*, from Military Duties, without ſuch Teſt; nor is there an Inſtance thereof in any of the Militia Bills that have been framed or enacted by our Mother Conſtitution. But we are ſorry to find the Example of our gracious Sovereign, and his Parliaments, is no Rule to the Governor; nor does he ſeem to think the People of this Province entitled to the Rights of *Engliſhmen* and Freemen.

Another Thing which in your Opinion would tend to make the Bill "conſtitutional," is, to give the Governor the abſolute Nomination of all the Military Officers, without being recommended by the People, to oblige the whole Freemen of the Community to inliſt under them, and to ſubject them to all the Penalties of a Court-martial, which your Honour would appoint. Whence it is that the Governor receives his Ideas of our Conſtitution, we are at a Loſs to determine, but fear it is from thoſe who are either ignorant of its Laws, or wicked enough to be an Enemy to it. It is the diſtinguiſhing Privilege of *Engliſhmen*, that they cannot be condemned in their Perſons or Properties, but by a Jury of their Country. To ſubject the People to the Judgment of a Court-martial, and

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ſuch Fines, Penalties and corporal or capital Puniſhments as ſhall be thereby inflicted, is directly inconſiſtent with this Privilege, and what Freemen will never aſſent to, were the Powers of Government exerciſed with ever ſo much Juſtice and Lenity; but when all Confidence is loſt between the Governor and Governed; when Schemes are purſuing, in this Time of extreme Diſtreſs, by a few particular Perſons, to enſlave the whole Community; and when theſe Schemes meet with the Countenance of thoſe whoſe Duty it is to preſerve our Rights, we never can conſent to ſuch an Amendment in a general Militia Bill. This would be giving up the Perſons and Properties of our Conſtituents to the abſolute Power of a Party, out of which, we have no room to doubt, the Officers will be choſen, whenever the Governor ſhall be veſted with the ſole Appointment of them.

The Charge againſt us, of "endeavouring to take the Appointment of the Officers out "of the Hands of the Government," is too general; and ſeems calculated rather to ſerve a particular Purpoſe, than to convey a true State of the Matter. That by the Bill a Number of Perſons was to be elected to each Office, and recommended to the Governor by the Voice of the People, out of which he was to chuſe and commiſſionate the Militia Officers, is true; but this is ſo far from "taking the Appointment out of the Hands of the "Government," that the Governor would have the Choice of ſeveral, and might appoint which of them he pleaſed. This we thought, and ſtill think, reaſonable; eſpecially as your Honour is a Stranger among us, and cannot know who is proper, and who not, for thoſe important Places, unleſs you take your Information from a Party, who have ever conſulted their private Views, and the Intereſt of their Friends, more than the Public Welfare. Theſe are Motives which the People collectedly cannot have; and therefore we apprehend it will more effectually anſwer the End of a Militia Law, to permit the People to recommend their own Officers, under whom they are willing to ſerve, as it is natural to preſume they will fix on Men of Integrity and public Spirit, on whoſe Courage and Reſolution they can depend for the Protection of the Country, and the Preſervation of their Civil and Religious Liberties.

But, however reaſonable this may be, it does not ſuit with the avowed Deſigns of a Party, which they have been weak and wicked enough to publiſh to the World in their *Brief State*. The Plan the Governor recommends to us, is the Plan they wiſh for. They declare, they expect it will "alter the Face of Affairs, by creating a vaſt Number of new "Relations, Dependencies and Subordinations in Government: The Militia will vote for "Members of Aſſembly, and being dependent on their Officers, would probably be in-"fluenced by them;" and the Officers being recommended by the Proprietary Creatures, and commiſſioned by their Deputy, would be directed by them, and thus our Proprietaries would be veſted with the Appointment of both the Branches of Legiſlature. Under this extenſive Influence, added to that which ever will attend the immenſe Property of the Proprietaries, can any Liberty, that the People are intitled to, be ſafe? The Freedom of Elections and of Parliament will be violated and deſtroyed. The Balance of Power between the Governor and People, ſo wiſely eſtabliſhed by the Royal and Proprietary Charters, and Laws of the Province, will be totally ſubverted, and our preſent Conſtitution be transformed into a Government the moſt deſpotic and arbitrary. Proprietary Inſtructions, calculated to promote their private Intereſt and Views, and to oppreſs the People, will have the Sanction of Edicts, not to be diſobeyed. Supply Bills will ſtand in no Need of Amendments, as they will be framed agreeable to ſuch Inſtructions. Our Aſſemblies will not preſume to tax the Proprietary's enormous Eſtate in common with the reſt of his Majeſty's Subjects for the Defence of their Colony; but they will make all their Laws by Direction, and become as inſignificant in the Conſtitution as the Parliament of *France*, who have only the Power of aſſenting to, and regiſtering, their Tyrant's Edicts.

The Governor is pleaſed next to recommed to us, "to make the beſt Improvement of "our Alliance entered into with the *Indians* at the late Treaty at *Eaſton*, by enabling "him to comply with the ſeveral Requeſts they made of him at the ſaid Treaty." We concur with you in thinking "theſe Things are of great and immediate Conſequence to "the Preſervation of our Lives and Properties at this Juncture." And we further know them to be of the utmoſt Importance to the general Safety of the Colonies, and his Majeſty's Intereſt: And therefore, with all Expedition, we preſented a Bill every Way calculated for theſe good Ends. But we cannot help ſaying, that the Governor's Words and his Actions do not ſeem to correſpond.——The unreaſonable Amendments he has ſent down to the Bill, convince us he had no Deſign of paſſing it, as he could not expect we could be ſo inſenſible of the People's Rights as to agree to them. In that Bill we nominated Commiſſioners, whoſe Integrity we have experienced, to ſerve the Country, and gave the Governor, for the Time being, a Negative on the Diſpoſition of the Sum that was to be put into their Hands to carry on the *Indian* Trade. But we find nothing leſs than the Nomination of the Commiſſioners and Agents will ſatisfy the Governor, or rather thoſe with whom he adviſes. Should we conſent to theſe Amendments, the Negative in the Bill would be uſeleſs, as there can be no Doubt but the Perſons who could

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be so lost to their own Rights as to accept of the Office from the Governor's Nomination, would implicitly obey his Directions. 1757. September 28.

Our Duty obliges us to declare and protest against this Amendment, as an Infringement on the Rights of this House; and that the Nomination of the Commissioners in Bills of this Nature, is the settled Right of the House of Commons, whose Powers we have as *Englishmen*, and by our Charters, which we hope the Governor will not, upon further Consideration, attempt to violate. Nothing is of greater Importance to the Government, than the Supporting the just and distinct Rights and Privileges of the Legislature; and as to our own, we assure the Governor we are resolved never to give them up, while the People entrust us with them.

Permit us therefore to persuade the Governor to resume the Consideration of this necessary and important Bill:—Reflect on its Importance to the Preservation of this Province, his Majesty's Colonies, and the *British* Interest in *America*. It is a Bill, which, if enacted into a Law, and well executed, will secure to us an effectual Barrier against our Enemies, and rescue our Fellow-Subjects from the barbarous Depredations of the Savages, and relieve them in a great Measure from their present almost insupportable Burden of Taxes. And a Bill, which, in its necessary Consequences, must procure to the *English* Interest the Friendship and Alliance of the most distant *Indian* Nations. And if the solemn Promises you made the *Indians* at the Treaties of *Lancaster* and *Easton*, the Good of this particular Province, the bleeding Circumstances of our Frontiers, the miserable Subjection of our captivated Inhabitants, have no Weight with your Honour, let the Good of the Colonies in general, and your Duty to preserve the Interest of the Crown, plead the important Cause of this Bill. We intreat you no longer to look on yourself "as a Passenger" only in the Province, as you have been pleased more than once to express yourself on Matters of a public Nature. Consider yourself as intimately concerned in the Welfare of the Province, bound in Duty to defend the King's Colony, and obliged to co-operate with us in every Thing that may tend to protect it, and preserve the People's Liberties. Let not arbitrary Proprietary Instructions be the sole Rule of your Conduct; exercise your own Judgment and Reason in your public Acts; pay less Regard to the Advice of the Proprietary Council, who have no Powers of Legislation, nor Right to direct or dictate to a Governor in any Matter whatever. Let his Majesty's Interest, and the Good of his Subjects, be the grand Objects of your Government, and restore Peace, Liberty and public Virtue to the Province, for it is in a great Measure in your Power. Do these Things, and your Government will be easy and pleasant, your Life happy, and you will rejoice in the Prayers, Love and Esteem of a free and grateful People.

Permit us to add, before we conclude, that we can have no Views but the Good of the Province. We cannot consider ourselves "as Passengers" therein, as too many of our Governors have done. Our Fortunes, Friends, and the nearest and tendereſt Connections are in it, and inseparable from it; and should the Country be sacrificed to the private Views of particular Men, who have seized this Time of Distress to invade our Rights, we fall the melancholy Victims. This Consideration certainly must convince every impartial Man, that we can have no Motive but the Good of the People, and the Preservation of our Country; and that its Distress, and present defenceless State, has not been occasioned by a Want of the most earnest Endeavours on our Parts to put it into a Posture of Defence. But, should our Constituents think otherwise, the Day of our anniversary Election is at hand, and we shall soon again mix with the People; and if our late Conduct has been inconsistent with their Sentiments, they will no Doubt supply our Places with such as they conceive will accede to your Honour's Measures, and give up those Rights which we have thought, and ever shall think, it our indispensable Duty to support and maintain. But whether you meet us again, or other Persons in Legislation, we sincerely wish greater Harmony in Sentiments may subsist, and more Good be done the Country than we have been able, during this Session, to effectuate with all our Endeavours.

Signed by Order of the House,

September 28, 1757. ISAAC NORRIS, *Speaker.*"

To the Honourable WILLIAM DENNY, *Esq; Lieutenant Governor of the Province of* Pennsylvania, *&c.*

The ADDRESS of the Representatives of the Freemen of the said Province.

May it please your HONOUR,

WE, the Representatives of the Freemen of the Province of *Pennsylvania*, in General Assembly met, having received many Complaints against *William Moore*, Esq; one of the Justices of the Peace for the County of *Chester*, charging him with divers Misdemeanors, fraudulent and extortionate Practices in his said public Office; and having summoned Assembly's Address to the Governor.

1757. *September* 28. ſummoned the ſaid *William Moore*, Eſq; to be preſent, and make his Defence, and ſhew the Falſhood of thoſe Charges, if any Proof or Evidence of ſuch Falſhood he had to produce, which ſaid Summons he neglected to obey; and having heard the Evidence concerning ſaid Charges and Complaints, and being thereupon fully ſatisfied and convinced, that the ſaid *William Moore*, Eſq; regardleſs of the impartial and juſt Diſcharge of his Duty in the ſaid Office, and wickedly and corruptly, through an avaricious Diſpoſition, and deſignedly to oppreſs and diſtreſs the poor Inhabitants of the ſaid County, hath greatly miſbehaved himſelf in his ſaid Office, by taking double and extortionate Fees of many of his Majeſty's poor liege Subjects in the ſaid County; by taking and extorting Fees where no Proceſs ever iſſued, or Services were done, under Colour of his ſaid Office; by encouraging the bringing a great Number of petty Suits againſt the poorer Sort of People, and by many other fraudulent, corrupt and wicked Practices, to the great Scandal of Juſtice, Derogation of the Laws, and grievous Diſtreſs of his Majeſty's ſaid Subjects: Which ſaid Practices we humbly conceive to be illegal and arbitrary, contrary to the Duty of a Juſtice of Peace, and exceſſively oppreſſive and grievous to his Majeſty's faithful and liege Subjects. Wherefore we do entreat your Honour to remove the ſaid *William Moore* from the Offices of Judge of the Court of Common Pleas and Juſtice of the Peace, and from all other public Offices, Poſts and Employments whatſoever under his Majeſty within this Government.

Signed by Order of the Houſe,

September 28, 1757. ISAAC NORRIS, *Speaker.*"

Such of the Governor's Amendments, on the *Indian* Trade Bill, as the Houſe agree to admit into the ſaid Bill, being alſo tranſcribed,

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait upon the Governor with the foregoing Anſwer and Addreſs, and deliver the Bill for preventing Abuſes in the *Indian* Trade, *&c.* with ſuch of his Honour's Amendments thereon as the Houſe accede to, and requeſt the Governor will be pleaſed to paſs the ſaid Bill, as it is now returned to him, into a Law.

The Account Current of Meſſieurs *Reeſe Meredith*, *John Mifflin* and *Samuel Smith*, Commiſſioners, appointed by Aſſembly to diſpoſe of *Ten Thouſand Pounds*, given by this Government to the Colony of *New-England*, was preſented to the Houſe, read, and referred to the Committee of Accounts to examine, and report thereon to the Houſe.

Adjournment. Then the Houſe adjourned to Two o'Clock To-morrow Afternoon.

September 29. *Poſt Meridiem* The Members appointed to wait on the Governor with the Meſſage and Addreſs of Yeſterday, and to return the *Indian* Trade Bill, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would again take the ſaid Bill into Conſideration, and acquaint the Houſe with his Reſult thereon.

The Committee appointed to inſpect the Minutes of Council, concerning Proprietary Purchaſes of Lands from the *Indians*, made their Report in Writing, which was read, and is as follows, *viz.*

Report of the Committee relating to Proprietary Purchaſes. IN Obedience to the Order of the Houſe we made Application to *Richard Peters*, Eſq; Clerk of the Council, and requeſted, that he would permit us to inſpect the Minutes of Council, and furniſh us with fair Tranſcripts of ſuch Minutes as related to *Indian* Affairs; but he informing us, that he could not grant our Requeſt without conſulting the Governor, and receiving the ſaid Requeſt in Writing, we wrote him the following Letter:

SIR,

The Committee's Letter to *Richard Peters*, Eſq; THE Application of the Committee of Aſſembly to you Yeſterday, was made in Purſuance of an Order of the Houſe, which was to inſpect the Minutes of Council, reſpecting *Indian* Purchaſes. They are deſirous of ſeeing and having fair Tranſcripts of all the Minutes that relate to the Purchaſe made by *William Penn*, about the Year 1700, of the Lands on *Tohiccon*, *Neſhaminey*, the *Lehigh*, and the *Forks of Delaware*, or any of them: The Minutes relating to the confirmatory Purchaſe of the ſame Lands in 1737: The Minutes relating to the Purchaſe of the Lands on *Brandywine*: The Minutes relating to the Purchaſe of the *Juniata* and *Conedaguinet* Lands; and thoſe relating to the Purchaſe made at *Albany*. We are,

Sir, your humble Servants,

JOSEPH FOX, WILLIAM MASTERS,
THOMAS LEECH, WILLIAM WEST,
JOSEPH GALLOWAY, THOMAS YORKE."

And the next Day we received for Anſwer the following Letter from the Secretary, *viz.*

GENTLEMEN,

Mr. *Peters's* Anſwer to the Committee. I HAVE laid before his Honour the Governor your Application for an Inſpection and fair Tranſcripts of the Minutes of Council, reſpecting the ſeveral *Indian* Purchaſes mentioned in your Letter of this Date. In Anſwer to which his Honour has ordered

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me to let you know, *That he will not permit you to inspect the Council Books:* That he is now too much engaged in public Business, and in preparing for his Journey to *Easton*, to admit of Time for my searching the Council Books for the Minutes you apply for; but that on his Return he will take Care you shall be furnished with fair Transcripts of them. 1757. *September* 29.

This he presumes will not be attended with any Inconvenience to you as a Committee of Assembly, as the House does not meet by their Adjournment till the Eighth Day of *August* next. I am,

Gentlemen, your most humble Servant,

Philadelphia, July 13, 1757. RICHARD PETERS."

Since which, we have never heard from, or received any of the said Minutes, either from his Honour the Governor, or the said Clerk.—*Submitted to the Consideration of the House, by*

JOSEPH FOX, WILLIAM MASTERS,
THOMAS LEECH, WILLIAM WEST,
JOSEPH GALLOWAY, THOMAS YORKE."

The Committee of Accounts reported on the Account Current of Messieurs *Meredith, Mifflin* and *Smith*, as stated below, that they are of Opinion the Balance of *Sixteen Pounds Three Shillings* and a *Halfpenny* ought to be paid, and that the said Gentlemen be directed to prosecute an Action against the Estate of *Robert Rawlinson*, deceased, for the Sum of *Twenty-seven Pounds*, charged on the Debit Side of the said Account.

Dr. {*Province of* Pennsylvania, *in Account with* Reese Meredith, John Mifflin *and others, Commissioners, appointed by Vote of Assembly to lay out* Ten Thousand Pounds, *for the Use of the Army, under the Command of General* Shirley.} Cr.

TO sundry Goods shipped to New-York, consigned to William Alexander, and Lewis Morris, junior, as per List, amounting to — —				£9,169	12	11½	
To Cash paid William Alexander, and Lewis Morris, for 2,849¼ Bushels of Pease,	£675	5	3				
To Ditto, for Freight of the above Goods they sent to Albany, — — —	£235	3	1				
To Cash paid Charges on Goods, per List, —	£29	19	2	£910	8	4	
To Ditto, paid Robert Rawlinson, so much more than he delivered Beef for, —		27	0	0			
				£56	19	2	
To Ditto, paid Stephen Shewell, Storage, and Loss on Bread, —				£15	6	10	
To Ditto, paid Thomas Wharton, jun. for keeping the Accounts, &c.				£27	0	0	
				£10,179	7	3½	

BY Cash received of Charles Norris,				£10,000	0	0	
By Ditto received of William Foster, being so much overpaid him on Pork,				£ 9	10	0	
By 116 Barrels of Meal, received of James Wright, &c. a Committee for laying out Five Thousand Pounds, Weight 240 C. 1qr. 25lb. at 12s. and Casks,				£ 153	14	3	
				£10,163	4	3	
Balance, — —				16	3	0½	
				£10,179	7	3½	

Errors excepted.

REESE MEREDITH, SAMUEL SMITH."
JOHN MIFFLIN,

The Committee of Accounts also reported on the Account of *John Smith*, Esq; of *Cumberland* County, that they are of Opinion, *Two* and an *Half per Cent.* ought to be deducted from the Commissions charged on said Account, *Five per Cent.* being too great a Consideration for the Services done the Province by the said *Smith*.

Upon which the House agreed to the Report of the Committee, and allowed the Account, with a Charge of *Two* and an *Half per Cent.* for Commissions.

Resolved, That the Committee of Correspondence do transmit to the Agents for this Province in *Great-Britain* the Minutes of the Treaty held by this Government at *Easton* with *Teedyuscung*, King of the *Delawares*, as delivered to this House by Mr. *Charles Thompson*, Secretary to the said King, with all the Deeds therein referred to, and such other Papers as are necessary to a true Representation of the Complaints of the said *Indians* against this Province, that the same may be laid before his Majesty for his Royal Determination.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by the Secretary, sent down the Bill for preventing Abuses in the *Indian* Trade, &c. with a verbal Message, that his Honour adhered to his Amendments thereon. At the same Time the Secretary delivered three written Messages, which were read, and are as follow, *viz.* *September* 30.

GENTLEMEN,

'AS common Justice requires that no Man should be condemned unheard, in any Matter that affects his Life, Fortune or Character, I cannot think myself justified in removing Mr. *Moore* from his public Employments, till I have made him acquainted with A Message from the Governor to the Assembly.

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' with the Complaints and Evidence exhibited againſt him, and given him an Opportunity ' of making his Defence: I therefore deſire you will furniſh me with Copies of the Pe- ' titions and Proofs on which your Application to me againſt him is grounded, and you ' may aſſure yourſelves, that on a full Hearing of the Matters, ſtrict Juſtice ſhall be done, ' both to him and the Public.

September 30, 1757. *WILLIAM DENNY.*"

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

' AS you have not publiſhed your Minutes ſince laſt *February*, I deſire you will, ' with all convenient Diſpatch, furniſh me with Copies of them ſince that Time; ' and likewiſe of the public Accounts of the Loan-Office, and Exciſe, as ſettled this ' Year. If the Duplicates of the Aſſeſsments of this and the laſt Year are returned to ' the Houſe, I alſo deſire to have Copies of them as ſoon as conveniently may be.

September 30, 1757. *WILLIAM DENNY.*"

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

' IF *Detraction* and *perſonal Abuſe* of your Governor, and a bold Aſſertion of Facts, ' without Proofs to ſupport them, were to paſs for Reaſon and Argument, it muſt be ' acknowledged your Meſſage of Yeſterday contains a full Juſtification of your public ' Conduct, and that I am juſtly chargeable with neglecting to do what was in my Power ' to prevent many of the Evils which have befallen this diſtreſſed Province. But I have ' already, during my ſhort Adminiſtration, been ſo accuſtomed to this Kind of Treatment ' from you, for daring to exerciſe my own Judgment, and preſuming to differ in Opinion ' with you, in Matters which highly concern his Majeſty's Honour and Intereſt, and the ' Welfare of the People, that I am the leſs ſurpriſed at the many unjuſt Reflections caſt ' upon me in your long Meſſage of Yeſterday, preſented to me late laſt Night: Indeed I ' have the leſs Reaſon to regret ſuch Uſage, when I conſider that ſeveral *worthy Gentlemen*, ' who preceded me, have not been better treated, which muſt convince every unbiaſſed ' Judgment, that you are not ſo much *diſpleaſed with the Perſon governing*, as impatient of ' being governed at all.

' Your delaying to anſwer my Meſſage of the Sixteenth of *Auguſt* laſt, till two Days ' before the Time appointed by the Charter for a new general Election, may, perhaps ' anſwer your Ends; eſpecially as the Shortneſs of Time will not admit me, by a Re- ' ply, to take off the Gloſſes you have put on your Proceedings, ſhew your Aſſertions, ' rather than Arguments, to be falſe, and ſet in a true Light Numbers of Facts you have ' groſsly miſrepreſented: But, Gentlemen, whatever may be your popular Views here, ' you cannot flatter yourſelves that your Arts will blind the Eyes of our Superiors, to ' whom both you and I are accountable, and before whom theſe Proceedings ſhall be ' laid for their Determination. To them muſt be ſubmitted the Sincerity of your Pro- ' feſſions as well as mine, and to which of us the Calamities and Miſchiefs that may at- ' tend this Province, from the Want of proper Laws for eſtabliſhing a Militia, and for ' regulating the *Indian* Trade, may be juſtly chargeable.

' *Your Thirſt of Power, and Fondneſs to monopolize* all Offices of Truſt and Profit, in- ' duced you, in the laſt mentioned Bill, to nominate all the Commiſſioners for *Indian* ' Affairs among your own Members; five of whom are alſo Provincial Commiſſioners. ' The Abſurdity of impowering the Provincial Commiſſioners to draw Orders, payable ' to the Commiſſioners for *Indian* Affairs, who are the ſame Perſons, and the dangerous ' Conſequences to the Public of appointing none *but Members of Aſſembly to hold Offices* ' *of great Truſt*, for which they are to account with the very Aſſembly whereof they are ' Part, and ſeveral other weighty Reaſons, induced me to object to the Commiſſioners ' named in the Bill, and inſert others of good Fortune, and moſt unexceptionable Cha- ' racter, in their Stead, out of the Houſe, for your Conſideration. Had you really ' thought the Bill a Matter of that Importance you profeſs, you would, inſtead of waſting ' Time in a laboured Meſſage, wherein you declare and proteſt againſt this Amendment, ' as an Infringement of the Rights of the Houſe, have rejected the Perſons recommended ' to you by me, if you did not approve of them, and inſerted others more agreeable to ' you, in their Stead. By this Method, if you are not ſo ſanguine and ſelf-ſufficient as ' to conceive, that in this populous Province none can be found, but among yourſelves, ' fit to hold and enjoy an Office of ſuch great Truſt and Importance, proper Perſons ' might have been agreed on between us.

' Though I am not aſhamed to own that I have, on many Occaſions, adviſed with my ' Council in Matters of Government, and have received Information and Aſſiſtance ' from them, yet they never aſſumed a Power in Legiſlation, or a Right to direct or dic- ' tate to me, in any Matter whatever, as you unjuſtly inſinuate: *Their Fortunes, Families,* ' *and moſt intimate Connections, lie in this Province as well as yours:* The Freedom of ' themſelves and their Poſterity, and their Intereſt and Happineſs, are blended with, and

' inſeparable

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'inseparable from, the rest of their Fellow-Subjects: They are moreover independent, 'and devote their Time and Trouble to the Public without *Fee or Reward*, while you 'are amply paid for all the Services you do. Why then is it not reasonable to suppose 'they act for the public Good, on Principles of Honour and Virtue? And why are they, 'on all Occasions, treated by you with the greatest Ingratitude, and represented as Enemies 'to the Community? Privy Councils are, and always have been, in use in our Mother 'Country, in this, and all other civilized Governments; and therefore, your considering 'the Council here as a Clog on Government, and oppressive to the People, is most in-'vidious and unjust.

'To conclude, Gentlemen, the Reasons that at first weighed with me to make the 'Amendments to the Bill for regulating the *Indian* Trade, still prevail, and I cannot re-'cede from them; and you may assure yourselves, that in this, and every other Part of 'my Conduct, while I continue in this Government, no Abuse from you shall induce 'me to deviate from the Principles of Duty and Honour, or act a Part that I cannot 'justify to the King, to the People committed to my Care, and to my own Conscience.

September 29, 1757. *WILLIAM DENNY.*"

The House taking into Consideration the last of the three foregoing Messages from the Governor,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters* and Mr. *Pearne* be a Committee to prepare and bring in an Answer to the said Message.

The Committee appointed to prepare an Answer to the Governor's Message, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was ordered to be transcribed.

The Answer to the Governor's Message being transcribed, and signed by the Speaker, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

A Message to the Governor from the Assembly.

TIME will not permit us to give a full Answer to your Message of this Afternoon: But we cannot help remarking, the Facts asserted in our Message, are of such Notoriety, that in this Province they cannot want Proof. Have we not given to the King's Use the Sum therein mentioned? Is not that Sum nearly expended? Has there been a single *Indian* killed by all the Troops since that Sum was granted? Are not Eleven Hundred Men sufficient to make at least one Incursion into the Enemy's Country? Has the Province received that Protection from them it ought to have received? Have not our News-papers been filled with continual Accounts of the bleeding and distressed Situation of our Frontiers? Have we not tendered you many Militia Bills equitable and constitutional? Are not the Designs of the Proprietaries, and their Party, known to a Cloud of Witnesses among the People? Have not the ill Effects of Proprietary Instructions been long experienced and manifested in the Province? Has not your Honour declared you are obliged to obey those Instructions? If so, are not those Instructions of the Nature of Laws to us, as no Laws can be made but agreeable to them? Have we not tendered a Bill to you for promoting a Peace with the *Indians*, and securing them to his Majesty's Interest? Have you not rejected that Bill because we nominated Commissioners therein, agreeable to the Practice and indubitable Right of the House of Commons? And have you not more than once declared, that you were but a Passenger in the Province? These are Facts well known, and we confide in the Justice of "our Superiors before "whom these Proceedings will be laid for their Determination," where we can depend an injured and bleeding People will meet with ample Redress.

The "Thirst after Power, and a Fondness to monopolize Offices," were no Inducements to us in nominating Commissioners for *Indian* Affairs,—it was our undoubted Right, which your Honour cannot invade without violating our Charters; and by Virtue of that Right we might nominate them out of the Members of this House, agreeable to the Practice of Parliament, where no such dangerous Consequences to the Public, as are pointed out by the Governor, were ever apprehended. Those Gentlemen had assented to accept of the Trust; had been present at the several late Treaties, and were acquainted with the Importance of the *Indian* Alliance to his Majesty's Interest and this Province, and we believe of as "unexceptionable Characters" as those of your Nomination, without any Disparagement to them. But the Men your Honour appointed, or at least a Majority of them, were never consulted; and several of them have declared they would not have accepted of the Office. What then could induce the Governor to nominate them? Could it be with a Design that the good Effects of the Bill should not take Place, had it passed into a Law?

The Absurdity of "impowering the Provincial Commissioners to draw Orders, payable "to the Commissioners for *Indian* Affairs," is not so glaring as the Governor has represented it. There were two Persons added to five of the seven Provincial Commissioners, who were to be the Commissioners for *Indian* Affairs, and consequently the Commissioners for *Indian* Affairs, and the Provincial Commissioners, were not the same Persons.

We

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We have no Views but his Majeſty's Intereſt and the Good of the People we repreſent; nor had we any "Deſign in delaying to anſwer your Speech." We ſhould have anſwered it ſooner, had the Buſineſs you recommended therein been finiſhed before. The Charge therefore againſt us is as groundleſs, as the Excuſe for not pointing out the Falſhoods you are pleaſed to ſay it contains, is evaſive; "two Days" being a Time very ſufficient to have replied and ſhewn one of our Aſſertions at leaſt to be (as the Governor is pleaſed to call them) falſe, which you have not thought fit to do.

Signed by Order of the Houſe,

September 30, 1757. ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Trimble* and Mr. *Wayne* wait on the Governor, and deliver the foregoing Anſwer to his Honour's Meſſage.

The Members return, and report, they had waited on the Governor with the ſaid Anſwer to his Meſſage, and that his Honour was pleaſed to ſay, he would conſider it.

Ordered, That the Minutes of the Houſe, ſince *February* laſt, be made ready for the Preſs; and that a Copy thereof, as ſoon as printed, be delivered to the Governor, agreeable to the Requeſt in his Meſſage of this Day.

Ordered, That the Clerk do furniſh the Governor with fair Tranſcripts of all the Petitions preſented to the Houſe againſt *William Moore*, Eſq; and of the Depoſitions taken before them in Support of the ſaid Petitions.

The Report of the Committee of Accounts was approved of, and allowed by the Houſe, and is as follows, *viz.*

We, the COMMITTEE appointed by the Aſſembly of the Province of Pennſylvania, *to audit and ſettle the Accounts of the General Loan-Office, and other public Accounts, to ſink and deſtroy all the Bills of Credit received in Exchange, purſuant to the late Paper Money Acts, and to count all the Money, and report what Sum we ſhould actually find in the Truſtees Hands, REPORT,*

Report of the Committee appointed to ſettle the Accounts of the General Loan-Office.

THAT on the Nineteenth Day of Auguſt we counted the Money in the Hands of the Truſtees of the Loan-Office, and found the Sum of — — — £ 3,307 0 8

That upon a ſtrict Examination of all the Mortgage Deeds, whereon any Quotas are due, taken by Virtue of all the Acts of Aſſembly for emitting Bills, and now remaining in the Loan-Office undiſcharged,

We find that there are principal Sums or Quotas yet unpaid, and Quotas to become due on all the Mortgage Deeds remaining in the ſaid Office, amounting to the Sum of — — — — £64,932 5 0

And that the one ſixth Part of the ſaid £80,000 has been paid into the ſaid Office which is to be ſunk, and not emitted upon Loan, amounting to the Sum of 13,333 6 8

And a further Sum has been received into the ſaid Office, for and towards one other ſixth Part, amounting to — — 1,734 8 4

All which ſaid Sums make up the whole Sum of — — £80,000 0 0

THAT the Truſtees, on Account of Intereſt ariſing from all the Mortgages, lent out in Purſuance of the ſeveral Acts of Aſſembly, are charged with the Intereſt outſtanding laſt Year, — — £ 8,905 10 6

To the Intereſt ariſing on all the Mortgage Deeds the current Year, £2,423 19 8
To broken Intereſt received ſince laſt Settlement, 367 19 0
To Intereſt received at Diſcharge of ſeveral Mortgages, 19 15 4
£ 2,811 14 0

To broken Intereſt on the firſt £80,000, — — 294 4 6

Balance, — — 11,638 8 10

£23,649 17 10

That the Truſtees have Credit for the Balance due laſt Year, — £ 7,171 19 11

And by the Intereſt outſtanding on all the Mortgage Deeds remaining in the Loan-Office, — — — — 9,787 1 5

Alſo for ſundry Sums paid by them for Account of the Province, viz.

Indian Expences.

1756.	*Sept.*	2.	Paid Leonard Weiſer, by William Parſons, per Order of the Houſe,	£	4 0 0	
		7.	Paid Jacob Peplee, for his Diſtreſſes, — —		3 0 0	
		9.	Paid John Cox, for Ditto, — —		3 0 0	
		22.	Paid Michael Teaff, per verbal Order of the Speaker,	£ 5 0 0		
			Paid Indian Jagrea, for Services at Fort Auguſta,	4 10 0		
					£ 9 10 0	
	Oct.	29.	Paid John Gueſt, for Andrew Montour's Children,	£ 1 0 0		
	Nov.	11.	Paid Rebecca Burchall, for Schooling Ditto,	2 0 6		
1757.	*May*	31.	Paid David Byers, for bringing home Ditto when went away, — —	0 7 6		
	June	3.	Paid John Mitchell, Expences on the Road, &c. for Ditto, — —	1 5 0		
	July	6.	Paid Jeremiah Warder, for a Hat for John Montour,	0 18 0		
					£ 5 11 0	
1756.	*Dec.*	6.	Paid Ditto, for a Kettle, and Halfthicks, for Amos Shaw, — —	£ 0 14 0		
			Paid Peter Howard, for a Pair of Shoes, for Ditto,	0 7 6		
					£ 1 1 6	
			Cr. Carried over		£16,985 3 10	
					Dr. Carried over	£23,649 17 10

Dr. Brought over, £23,649 17 10 — 1757. *September* 30.

Cr. Brought over, £16,985 3 10

1757. *Feb.*	9.	Paid Thomas Webſter, for boarding and nurſing Jonathan and Philip Unity, per Account No. 1.	£27	1	6			
		Paid Ditto, *April* 26, 1757, No. 2.	7	11	0			
	13.	Paid Samuel Kirke, for Interment of Jonathan Unity,	1	9	9			
		Paid Negroe Dinah, for laying out the Corps, &c.	0	7	6			
March	31.	Paid David Barnes, Sundries, as per Account, for Funeral, —— ——	2	0	4			
June	28.	Paid Deborah Franklin, her Account for Ditto,	1	5	6			
Auguſt	18.	Paid James Bailey, his Account for making of Clothes, &c. —— ——	16	6	3			
						£	56	1 10
June	25.	Paid Jonathan Kayeaywerejowa, a Preſent for Services,					7	10 0
July	20.	Paid ſundry Indians, at ſundry times, per Account No. 1. —— ——	£1	14	7			
		Paid Ditto, *Auguſt* 3, 1757, No. 2.	14	9	10			
		Paid Ditto, *Dec.* 28. 1756. No. 3.	7	7	6			
						£	23	11 11
		Paid for nurſing Andrew Montour's youngeſt Child, ——					15	6 0

New-England Forces.

1756. *Oct.*	2.	Paid Joſeph Morris, per Receipt, per Order of the Houſe,				£	199	3 9
	26.	Paid Benjamin Franklin, per Ditto, ——					84	17 11
	26.	Paid William Fiſher, per Ditto, —— ——					50	1 0
Nov.	11.	Paid Iſaac Norris, per Ditto, —— ——					180	7 5

Ohio Road.

1757. *Jan.*	4.	Paid Joſeph Fox's Order to Francis Alliſon, for John Watts, a Labourer, —— —— ——				£	2	17 6
July	12.	Paid Lutrick Lycan, per Adam Hoops —— —— ——					4	17 6

State-houſe.

1756. *Oct.*	22.	Paid Edmund Woolley, per Receipt, ——	£	60	0	0		
		Paid Ditto, *January* 14, 1757, ——		50	0	0		
		Paid Ditto. *April* 21, 1757, —— ——		100	0	0		
		Paid Ditto, *July* 2, 1757, —— ——		80	0	0		
						£	290	0 0
Dec.	13.	Paid David Edwards, for Wood, &c,	£	12	0	0		
	15.	Paid Andrew Inglehart, Ditto, ——		2	2	0		
1757. *Jan.*	8.	Paid Samuel Kirke, Ditto, —— ——		7	0	7½		
Feb.	8.	Paid David Edwards, Ditto, —— ——		6	9	0		
	22.	Paid Samuel Kirke, Ditto, —— ——		7	3	0		
May	5.	Paid Ditto, —— —— ——		13	12	9		
						£	48	7 4½
		Paid Thomas Leech, for the State-houſe, *Dec.* 28, 1756, ——					100	0 0
June	17.	Paid Samuel Harding, per Receipt, —— ——					35	0 0

General Account.

1756. *Sept.*	24.	Paid Joſeph Armſtrong, per Order of the Houſe, ——				£	36	5 6
Oct.	26.	Paid William Weſt, for Carriage of Blankets, &c. to Cumberland County, —— —— ——					15	5 6
Dec.	21.	Paid Richard Hockley, per Receipt, —— ——					130	0 0
1757. *Jan.*	28.	Paid Benjamin Franklin, for printing £10,000 Exchange Money,					180	15 0
		Paid Benjamin Franklin, for immediate Services, *March* 17,				£	201	4 3
		Paid Ditto, for eſtabliſhing a Poſt to Winchester, &c. ——					210	13 9½
		Paid Ditto, for £750 Bills of Exchange, —— ——					1237	10 0
April	3.	Paid William Franklin, for Services, as Clerk to the Houſe, &c.					90	12 0
May	21.	Paid Intereſt on ſundry Provincial Notes, per Account, ——					154	0 0
		The Truſtees Salary, —— ——					500	0 0
		Paid Thomas Leech, for making the Arms, Types, &c. for the £10,000 Exchange Money, —— —— ——					25	0 0
		Paid for ſundry Provincial Notes, burnt *June* 15, 1757,	£2,355	0	0			
		Intereſt,	166	9	9			
						£	2,521	9 9
		Ditto, burnt *Auguſt* 19, 1757,	£ 110	0	0			
		Intereſt, ——	12	4	10			
						£	122	4 10
		Ditto, burnt *September* 27, 1757,	£ 130	0	0			
		Intereſt, ——	9	4	3			
						£	139	4 3
		An Allowance by Law for exchanging £550 9 2, the Balance of the old Exchange Money, at 55s. ——				£	1	10 3
		Ditto, for exchanging £83 10 7, at 60s. ——					0	5 0
						£23,649	6	2
		By an Error in the Intereſt Account, ——					0 11	8
								£23,649 17 10

WE do further report, that we have examined the Accounts of S. P. Moore, Provincial Treaſurer, and find, That he Credits the Province on Account of the old Exciſe, by Balance ſettled with the Committee the 14th of *September*, 1756, —— £ 278 3 6

By Caſh received of Jeremiah Starr, Collector of Exciſe for the County of Cheſter,		92	10 6
Ditto of John Hughes, Collector for Berks, ——		323	8 3
Ditto of Arthur Patterſon, Collector for Lancaſter —— ——		100	2 0
Ditto of Daniel Craig, Collector for Northampton, —— ——		10	1 0
Carried forward,	£	804	5 3

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Brought over	£ 804	5	3
By Caſh received of John Woolſton, Collector for Bucks,	36	0	2
Ditto of James Lindſay, Collector for Cumberland,	5	0	0
Ditto of Thomas Minſhall, for David M'Connaughy, Collector for York,	29	5	0
Ditto of Joſeph Redman, Collector for the City and County of Philadelphia,	73	0	0
By Joſeph Fox, an Account of the Province Iſland,	99	5	6
By John Baſſonet and Peter White, for John Hall,	20	0	0
		£	1,066 15 11

That he Charges the Province with ſundry Sums paid in Purſuance of the Votes or Orders of the Houſe, viz.

ToWilliam Franklin, as Clerk, per Order,	£ 39	18	0
Paid Ditto for tranſcribing, engroſſing, &c.	173	7	9
Paid Ditto for Poſtage of Letters for the Governors Morris and Denny,	30	18	8
Paid Daniel Roberdeau, for immediate Services,	8	8	0
Paid Joſeph Fox, for Ditto,	8	8	0
Paid David Edwards, Door-keeper,	24	4	0
Paid Ditto, for Bruſhes, and cleaning the State-houſe,	7	16	6
Paid Iſaac Norris, for immediate Services,	40	0	0
Paid Samuel Kirke, Serjeant at Arms,	8	0	0
Paid Doctor Richard Pearne, for immediate Services,	8	8	0
Paid William Franklin, on Account of public Entertainment,	1	5	0
Paid David M'Connaughy's Balance,	0	8	5
Paid Joſeph Hampton, for immediate Services,	3	12	0
Burnt per the Committee,	658	14	10
To his Commiſſions, at Five per Cent,	53	6	9
		£	1,066 15 11

THAT he Credits the Province on Account of the new Exciſe,

By Caſh received of Joſeph Stretch, Collector for the City and County of Philadelphia, at ſundry Times,	£ 1,410	17	0
By Ditto received of Thomas Minſhall, Collector for York,	59	14	7
By Ditto received of John Jones, Collector for Northampton,	75	17	6
By Ditto received of Joſeph Hamton, Collector for Bucks,	171	10	0
By Ditto received of James Webb, Collector for Lancaſter,	131	8	0
By Ditto received of Nathaniel Wilſon, Collector for Cumberland,	32	0	0
By Ditto received of John Hughes, Collector for Berks,	45	7	3
By Ditto received of Charles Humphreys, Collector for Cheſter,	441	0	0
		£	2,367 14 4

That he Charges the Province with Sundries, viz.

Paid Benjamin Franklin, for Paper, and Printing 48,000 Bills for the Thirty Thouſand Pounds granted, October 1756, to the King,	£ 87	1	10½
Paid Hugh Roberts, as Treaſurer for the Pennſylvania Hoſpital, for ſigning 48,000 Bills, as per his Receipt,	108	0	0
Caſh ſunk per the Committee,	1,432	3	5
To his Commiſſions, at Five per Cent,	118	7	9
Balance due to the Province, in the Treaſurer's Hands, in Specie, and the Currency of other Governments, not yet exchanged, which we have counted,	622	1	3½
		£	2,367 14 4

THAT he Credits the Province, on Account of the Sixpenny Provincial Tax,

By Caſh received of Thomas Leech, Treaſurer for Philadelphia County,	£ 3,281	10	0½
By Ditto of Robert Miller, Treaſurer for Cheſter County,	2,180	1	4½
By Ditto of Thomas Janney, Treaſurer for Bucks County,	941	10	2
By Ditto of Bernard Hubley, Treaſurer for Lancaſter County,	1,185	4	8¾
By Caſh received of Nicholas Scull, Treaſurer for Northampton County,	424	12	2
By Ditto of Jonas Seely, Treaſurer for Berks County,	497	9	7
By Ditto of John Calhoon, received in Part for Cumberland,	73	8	9
		£	8,583 16 9¼

That he Charges the Province with Caſh paid Hugh Roberts, as Treaſurer of the Pennſylvania Hoſpital, for ſigning 185,000 Bills for the Fifty-five Thouſand Pounds,

	£ 416	5	0
Paid Benjamin Franklin, for Printing, and Paper for Ditto,	340	15	3
Paid Thomas Leech, for making Stamps, &c. for Ditto,	28	0	0
Paid the Truſtees of the Loan-Office at ſundry Times, as per C. Norris's Receipts,	7,755	18	3¾
To his Commiſſions, at Ten Shillings per Cent,	42	18	3
		£	8,583 16 9¼

THAT he Credits the Province, on Account of the Twelvepenny Tax,

By Caſh received of Bernard Hubley, for Lancaſter,	£ 1,106	10	0
By Ditto received of Thomas Leech, for Philadelphia,	2,016	15	9½
		£	3,123 5 9½

That he Charges the Province with Caſh paid Hugh Roberts, as Treaſurer of the Pennſylvania Hoſpital, for ſigning 72,000 Bills for the Forty-five Thouſand Pounds,

	£ 162	0	0
Paid the Truſtees, per Charles Norris's Receipts,	2,953	9	7½
To his Commiſſions, at Five per Cent,	7	16	2
		£	3,123 5 9½

THAT we have examined the Accounts of James Lindſay, Collector of the Exciſe for the County of Cumberland, and find,

That he Credits the Province with the Balance due September 9, 1755,	£ 60	11	0
And the Amount of Exciſe for the Year 1756,	10	18	0
		£	71 9 0

That he Charges the Province with Caſh paid Samuel Preſton Moore, at three Payments,	£ 35	13	0
To his Commiſſions, at Ten per Cent,	3	11	0
Balance due to the Province,	32	5	0
		£	71 9 0

THAT

1757. *September* 30.

THAT we have examined the Accounts of David M'Connaughy, Collector of the Excise for the County of York, and find,

That he Credits the Province with the Balance due September 20, 1755,	£	63	8	0¾
Amount of Excise for the Year 1756,		62	3	7
Balance due on this Account,		0	8	5¼
			£	126 0 1
That he Charges the Province with Cash paid Samuel Preston Moore,	£	20	0	0
To his Commissions on the above Sum,		2	0	0
To outstanding Debts uncollected, and returned to the succeeding Collector, Thomas Minshall,		102	11	9
To an Allowance on 100 Gallons of Rum twice entered to Robert Stevenson,		1	8	4
			£	126 0 1

THAT we have examined the Accounts of Daniel Craig, Collector of the Excise for the County of Northampton, and find,

That he Credits the Province with the Balance due 1755,	£	9	14	6
By Amount of Excise from June 1, 1755, to June 1756,		44	7	8
			£	54 2 2
That he Charges the Province, with Cash paid Samuel Preston Moore, at sundry Times, per Receipts,	£	44	12	6
To his Commissions on the above, at Ten per Cent,		4	8	8
To an Allowance by the Committee on two outstanding Debts,		3	9	6
Balance due to the Province, August 30, 1757,		1	11	6
			£	54 2 2

THAT we have examined the Accounts of Joseph Stretch, Collector of Excise for the City and County of Philadelphia, and find,

That he Credits the Province, with the Amount of Excise from October 1, 1756, to July 1, 1757,	£	1,994	2	2
By sundry Retailers for nine Months, at Two Pounds Twelve Shillings and Six-pence,		114	0	0
By a Moiety of Fines from Sundries,		24	1	0
			£	2,132 3 2
That he Charges the Province, with Cash paid Samuel Preston Moore, per Receipts,	£	1,410	17	0
To his Commissions on the above, at Five per Cent,		70	10	9
Balance due to the Province,		650	15	5
				2,132 3 2

THAT we have examined the Accounts of Joseph Hamton, Collector of Excise for the County of Bucks, and find,

That he Credits the Province, by Amount of Excise from Oct. 1, 1756, to July 1, 1757,			£	206 11 8
That he Charges the Province, to Cash paid Samuel Preston Moore,	£	171	10	0
To his Commissions on the above Sum, at Ten per Cent,		17	3	0
Balance due to the Province,		17	18	8
			£	206 11 8

THAT we have examined the Accounts of Charles Humphreys, Collector of Excise for the County of Chester, and find,

That he Credits the Province, by Amount of the Excise from Oct. 1, 1756, to July 1, 1757,			£	563 13 4
That he Charges the Province, to Cash paid Samuel Preston Moore, per Receipts,	£	441	0	0
To his Commissions on the above Sum at Ten per Cent,		44	2	0
Balance due to the Province,		78	11	4
			£	563 13 4

THAT we have examined the Accounts of James Webb, Collector of the Excise for the County of Lancaster, and find,

That he Credits the Province, by Amount of Excise from the 1st of Oct. 1756, to July 1, 1757,			£	449 17 2
That he Charges the Province, to Cash paid Samuel Preston Moore, per Receipts,	£	131	8	0
To his Commissions on the above at Ten per Cent,		13	2	10
Balance due to the Province,		305	6	4
			£	449 17 2

THAT we have examined the Accounts of John Jones, Collector of the Excise for the County of Northampton, and find,

That he Credits the Province by Amount of Excise,	£	89	6	10
By sundry Retailers,		28	17	6
			£	118 4 4
That he Charges the Province, to Cash paid Samuel Preston Moore,		63	17	6
To his Commissions on the above,		6	7	9
Balance outstanding,		47	19	1
			£	118 4 4

That Thomas Minshall, Collector of the Excise for the County of York, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of — — £ 59 14 7

That Nathaniel Wilson, Collector of the Excise for the County of Cumberland, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of — — 32 0 0

That John Hughes, Collector of Excise for the County of Berks, has not exhibited any Account since the Year 1755, but find he has paid to the Provincial Treasurer, on the old Excise, the Sum of — — — — £ 323 8 3

And on the new Excise, the Sum of — — — — 45 7 3

£ 368 15 6

WE do further report, that the Provincial Treasurer has paid into the Hands of the Trustees of the Loan-Office, at sundry Times, viz.

Of the Sixpenny Tax,	£	7,755	19	3½
Ditto Twelvepenny Tax,		2,953	9	2
Carried forward	£	10,709	8	5½

1757. *September* 30.

Brought over			£ 10,709	8 5½
Deducting Three Hundred and Twenty-five Pounds for paying out One Hundred and Thirty Thouſand Pounds and Twenty-ſix Pounds Fifteen Shillings and Five-pence, for ſinking Ten Thouſand Three Hundred and Fifty-ſeven Pounds Twelve Shillings, the Allowance per Law,	351	15 5		
Which Sum we have burnt,			£ 10,357	13 0½

AND laſtly, we do report, that it appears by the Report of the Committee laſt Year, there remained in the Hands of the Truſtees, of the old Exchange Money, the Sum of Five Hundred and Fifty Pounds, Nine Shillings and Two-pence. Which Sum we have burnt, £ 550 9 2

And the Balance of the new Exchange Money,	£ 5,428	3 6	
Of which we have burnt,	772	18 9	
Which leaves in the Truſtees Hands,		£ 4,655	4 9

We ſubmit theſe Accounts, with the others, to the Obſervation and Correction of the Houſe.
Philadelphia, *the* 30*th of* September, 1757.

JOSEPH FOX, JOHN MORTON,
RICHARD PEARNE, JOHN HUGHES."
DANIEL ROBERDEAU,

Then, the ſeveral Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other Incidental Charges, being ſigned by the Speaker, by Order of the Houſe,

The Houſe roſe.

INCIDENTAL CHARGES.

Incidental Charges.

TO *William Allen*, Eſq; Chief Juſtice,	£	200	0 0
To *Lawrence Growdon*, Eſq; ſecond Juſtice,		60	0 0
To *Caleb Cowpland*, Eſq; third Juſtice,		60	0 0
To *Richard Patridge*, Eſq; his Salary as Agent, £ 100 Sterling,		165	0 0
To *Robert Charles*, Eſq; his Salary as Agent, £ 100 Sterling,		165	0 0
To the Speaker, for immediate Services,		40	0 0
To the Members of Aſſembly for their Attendance, *per* Liſt,		1,535	17 0
To *Joſeph Fox*, Eſq; 34 Days on the Committee of Accounts, and burning Paper-money,		10	4 0
To *John Hughes*, Eſq; 34 Days on Ditto,		10	4 0
To *Daniel Roberdeau*, 34 Days on Ditto,		10	4 0
To *Richard Pearne*, 34 Days on Ditto,		10	4 0
To *Joſeph Hamton*, 34 Days on Ditto,		10	4 0
To *John Morton*, 34 Days on Ditto,		10	4 0
To *Richard Hockley*, his Account for affixing the Great Seal *&c.*		18	15 0
To *Richard Peters*, Eſq; for Warrants to affix the Great Seal, and other Services,		48	4 6
To Ditto, as Clerk to the Council,		15	0 0
To *Franklin* and *Hall*, their Account for printing Votes, Laws, *&c.*		106	2 6
To *Samuel Kirke*, Serjeant at Arms,		8	0 0
To *David Edwards*, Door-keeper, for his Attendance, and other Services, *per* Account,		50	0 0
To *James Whitehead*, his Account for dieting two *French* Deſerters, *per* Account,		29	1 6
To *John Clarkſon*, for taking a Liſt of the Indentures of Servants and Apprentices, inliſted in his Majeſty's Service,		10	0 0
To *Charles Moore*, as Clerk, and his Account of tranſcribing and engroſſing Bills, *&c.*		110	7 6
To *William Franklin*, as Clerk, for Eighty-nine Days Attendance, and tranſcribing and engroſſing Bills, *&c.*		90	12 0
To *Thomas Barker*, for riding from *Carliſle* to *Philadelphia*, and back again, with Letters from Colonel *Stanwix*,		3	0 0
To *Charles Stow*, for ſummoning 76 Councils,		9	10 0
To *Charles Brockden*, his Account as Maſter of the Rolls,		27	17 0
To *Joſeph Galloway*, Eſq; for extraordinary Services,		20	0 0
	£	2,833	11 0

WE the Committee have inſpected the Accounts hereby referred to, and find them charged as uſual.——*Submitted to the Houſe, by*

WILLIAM MASTERS, WILLIAM WEST,
JOHN BAYNTON, JOHN HUGHES."
THOMAS YORKE,

At

1757. October 14.

At an ASSEMBLY *held in* Philadelphia, *the Fourteenth Day of* October, Anno Domini 1757, *P. M.*

BY the Returns of the Sheriffs of the several Counties, it appears that the following Gentlemen were chosen to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.*

For *Philadelphia* County.
Isaac Norris,
Joseph Fox,
Thomas Leech,
John Hughes,
John Baynton,
Daniel Roberdeau,
Joseph Galloway,
Richard Pearne.

For *Philadelphia* City.
William Masters,
Benjamin Franklin.

For *Bucks* County.
William Smith,
John Abr. Denormandie,

For *Bucks* County.
Griffith Owen,
Gabriel Vanhorne,
James Melvin,
Thomas Blackledge,
Richard Walker,
Amos Strickland.

For *Chester* County.
Joseph Gibbons,
George Ashbridge,
John Morton,
Roger Hunt,
Isaac Wayne,
Nathaniel Grubb,
Hugh Trimble,
Joshua Ash.

For *Lancaster* County.
James Wright,
James Webb,
Emanuel Carpenter,
Isaac Saunders.

For *York* County.
John Wright,
David M'Connaughy.

For *Cumberland* County.
Col. *John Stanwix*,
William Allen.

For *Berks* County.
Thomas Yorke.

For *Northampton* County.
William Plumsted.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the Year ensuing, and accordingly placed in the Chair.

Ordered, That Mr. *Fox*, Mr. *Masters*, Mr. *Smith*, Mr. *Gibbons*, Mr. *James Wright*, Mr. *John Wright*, Mr. *Yorke* and Mr. *Plumsted* wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when his Honour will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would receive the House, for the Presentation of their Speaker, at One o'Clock this Afternoon. October 15.

A Message by Mr. Secretary:

"*SIR*,

"The Governor requires the Attendance of the Speaker, and the House, in the "Council Chamber immediately."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker; and that his Honour was pleased to approve their Choice. That the Speaker had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

Secondly, That their Persons may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

Thirdly, That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report.

Fourthly and lastly, that his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleased to say, "That he should support the House in them, "or any others they were entitled to."

The Clerk having, pursuant to Order, brought in two Copies of the Qualification appointed by Law to be taken by the Members of Assembly, and the Test of Abjuration,

1757. the ſame were taken and ſubſcribed, firſt by Mr. Speaker in the Chair, and then at the Table by all the reſt of the Members preſent in their Order.

October 15. *Reſolved*, That *Charles Moore* be Clerk to this Houſe for the enſuing Year.

And he took and ſubſcribed the uſual Qualification accordingly.

Reſolved, That *Samuel Kirk* be Sergeant at Arms to this Houſe for the enſuing Year.

Reſolved, That *David Edwards* be Door-keeper to this Houſe for the enſuing Year.

Adjournment Then the Houſe adjourned to *Monday* next, at Three o'Clock in the Afternoon.

October 17. *Poſt Meridiem* The Houſe met, purſuant to their Adjournment.

The Governor, by the Secretary, ſent down an Extract of a Letter from Lord *Loudoun*, with a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'THOUGH in Times of public Peace and Tranquillity it has not been uſual for the Repreſentatives of the People to proceed to Buſineſs at this Seaſon of the Year, yet I hope you will be of Opinion with me, that at this critical Conjuncture, and Time of public Calamity, when his Majeſty's Enemies are daily committing the moſt cruel Ravages on our Frontiers, and carrying on Deſigns which threaten this and the neighbouring Colonies with total Ruin, a Moment's Time ought not to be loſt. Surely every Meaſure in our Power ſhould be vigorouſly executed, that may tend to the Security of this valuable Province, and the Protection of its Inhabitants. Give me Leave therefore, at this your firſt Meeting, to recommend to your immediate Conſideration, ſuch Matters as appear to me the moſt likely to anſwer the above Purpoſes, ſo much deſired by every loyal Subject and Well-wiſher to his Country.

'A well framed conſtitutional Militia Law deſerves your firſt Attention. Experience, and the Wiſdom of all States ſhew, that a well regulated Militia is the beſt Security to every Country. By a conſtitutional Militia Law, I mean ſuch a one as is founded on the Principles of an *Engliſh* Conſtitution, and preſerves equally the legal Prerogatives of the Crown, and the juſt Rights of the People. The ſeveral Militia Bills preſented to me by the laſt Aſſembly, were formed on the ſame Plan with the late Militia Law of this Province, repealed by our Royal Sovereign in Council, particularly in that Part reſpecting the Election of Officers, which, among other Matters objected to, was aſſigned as one of the principal Cauſes for repealing it. How conſiſtent ſuch a Conduct was with the Duty and Obedience due from loyal Subjects to the beſt of Kings, I ſhall not take upon me to determine. As to my Part, I ſhall on all Occaſions think myſelf indiſpenſably obliged to conform to the Royal Determination; which Principle then did, and ever will, induce me to refuſe my Aſſent to a Bill of the ſame Import with one his Majeſty has been pleaſed to reject. Theſe Conſiderations, I hope, Gentlemen, will prevail with you to prepare a new Militia Bill, free from the Objections that proved fatal to the former Law.

'A Bill for regulating the *Indian* Trade, and preventing the Abuſes formerly practiſed on the Natives, is alſo of the utmoſt Importance to this Province, as well to attach firmly the *Indians* to his Majeſty's Intereſt, as to enable this Government to fulfil the ſeveral Engagements that have been made with them in the late Treaties.

'As I am informed that the Supplies given to his Majeſty's Uſe, for the Defence and Protection of the Province, are near expended, I muſt recommend it to you to think in Time of proper Ways and Means to raiſe further Supplies, by an equal and juſt Taxation of the Eſtates of the Inhabitants, or ſuch other Methods as you may judge will be the leaſt burdenſome to them.

'I lay before you an Extract of a Letter I lately received from the Earl of *Loudoun*, wherein his Lordſhip requires, that the public Roads throughout this Province ſhould immediately be put into good Repair, and ſeveral new ones cut; without which it will be impoſſible to defend and relieve the Province, in Caſe of an Attack from the Enemy, or to act offenſively againſt them. His Lordſhip's Demands are ſo juſt, reaſonable, and abſolutely neceſſary, that I am perſuaded you will without Heſitation enable me to carry them into Execution.

'I propoſe going to my other Government on *Thurſday* next. I ſhall preſs that Aſſembly to make all poſſible Diſpatch with Regard to the public Buſineſs, and hope, on my Return, to find the ſeveral Bills recommended to you ready to be laid before me.

'The Affair of the Roads not admitting of the leaſt Delay, I deſire this may be finiſhed before I ſet out.

October 17, 1757. *WILLIAM DENNY.*"

Adjournment Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

October 18. Mr. *Roberdeau*, Mr. *Denormandie* and Mr. *Blackledge* appearing, were qualified as uſual, and took their Seats in the Houſe accordingly.

Ordered,

1757. October 18.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Fox*, Mr. *Hughes*, Mr. *Masters* and Mr. *Yorke*, with Mr. Speaker, be a Committee of Correspondence for the ensuing Year.

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Smith*, Mr. *Strickland*, Mr. *Ashbridge*, Mr. *Saunders*, Mr. *John Wright*, Mr. *Yorke* and Mr. *Plumsted* be a Committee of Grievances for the ensuing Year, and that they have full Power and Authority to send for Persons, Papers and Records, *&c.*

Ordered, That Mr. *Fox*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Pearne*, Mr. *Walker* and Mr. *Morton* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts; and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts; and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have full Power and Authority to send for Persons, Papers and Records, *&c.*

Ordered, That Mr. *Fox* and Mr. *Galloway*, with the Speaker, be a Committee to revise the Minutes of this House, before they are printed.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer of this Province for the ensuing Year.

Resolved, That *Benjamin Franklin*, Esq; be, and he is hereby continued and appointed Agent of this Province to solicit and transact the Affairs thereof in *Great-Britain*, in Pursuance of the Powers and Instructions given to him by the last Assembly, and of such further Instructions as may be hereafter given him by this House.

Resolved, That *Robert Charles* and *Richard Patridge*, Esquires, be appointed Agents to assist the said *Benjamin Franklin* in the Discharge of his Duty in transacting the Affairs of this Province, according to the aforesaid Resolve, during his Stay in *Great-Britain*, and then joint Agents during the remaining Part of the Year.

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Galloway*, Mr. *Masters*, Mr. *Gibbons* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for regulating the *Indian* Trade.

Then the House adjourned to Four o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Committee appointed to prepare a Bill for regulating the *Indian* Trade, reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was taken up again by special Order, and having passed the second Reading, after some Amendments thereon, was ordered to be transcribed for a third.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *October* 19.

The Bill for regulating the *Indian* Trade being transcribed, was read the third time.

Resolved, That the said Bill do pass.

It being moved that a short Message be sent up to the Governor, with the Bill just passed by the House, a rough Draught thereof was wrote at the Table, read, and being agreed to, was ordered to be transcribed, and follows in these Words, *viz.*

"The House taking into their Consideration your Message of the Seventeenth Instant, and conceiving the Establishment and Regulation of the *Indian* Trade to be at present a Matter of the last Importance to the Welfare of this Province, and to his Majesty's *American* Interest in general, have prepared a Bill for that Purpose, and now present it to your Honour for your Assent.

"The House apprehends there can be no Use in offering Arguments to prevail on the Governor to pass a Bill so indispensably necessary for his Majesty's Service, and the Defence of this Colony, especially as the Governor's solemn Engagements, and the public Faith, are staked for the Performance of those Things for which the Bill is immediately calculated.

"They were induced to prefer this Bill to the other Matters recommended in your Message, by an Information they have received, that the Natives have frequently come down to Fort *Augusta* with their Peltry, under an Expectation of being supplied with Goods, agreeable to the Governor's Engagements to them, and have returned much dissatisfied at the Disappointment.

"Therefore, as the Postponing of this necessary Bill may be attended with a total Alienation of the *Indians* from the *British* Interest, and consequently not only affect this, but all the other Colonies, they entreat the Governor to take it into his serious Consideration, and give it Dispatch, before he proceeds to the Business of his other Government."

Ordered, That Mr. *Walker* and Mr. *Plumsted* wait on the Governor with the said Bill and Message, and acquaint him, that the House propose to continue sitting till his Honour's Departure for *New-Castle* to meet the Assembly of the Lower Counties, and that then, as the said Assembly did little Business last Year, and the Governor will be therefore probably detained some Time below, the Members incline to adjourn to the Second Day of *January* next.

Then the House adjourned to Five o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Members appointed to wait on the Governor with the Bill for preventing Abuses in

1757. *October* 19. in the *Indian* Trade, *&c.* and the verbal Meſſage of the Houſe, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would immediately take the ſaid Bill into Conſideration, and give it all the Diſpatch in his Power; but thought the Term of Adjournment propoſed by the Houſe too long, and therefore recommended to their immediate Conſideration the other Parts of his Meſſage of the 17th Inſtant, reſpecting a Militia Bill, and further Supplies.

Reſolved, That this Houſe are of Opinion, that the Expence of the Poſt eſtabliſhed betwixt this City and *Carliſle*, upon a Recommendation from his Honour the Governor for that Purpoſe, is and ought to be paid by the Provincial Commiſſioners, out of the Sum of *One Hundred Thouſand Pounds* granted to his Majeſty's Uſe; and the ſame is hereby recommended to the ſaid Commiſſioners for immediate Payment.

The Rules of the Houſe being read as uſual were agreed to, with the additional One impoſing certain Fines on the Members for irregular and unſeaſonable Attendance.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 20. The Governor, by the Secretary, returned the Bill for preventing Abuſes in the *Indian* Trade, *&c.* with his Amendments thereon, which were read: Mr. Secretary alſo delivered a Meſſage from his Honour to the Houſe, which being read, is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'MY Meſſage of the Seventeenth fully ſhews my Opinion of the Neceſſity of a good Law to regulate the *Indian* Trade within this Province, but as I am a Branch of the Legiſlature, neither that Neceſſity, nor the public Faith pledged to the *Indians* on Preſumption of a proper Bill being offered, can juſtify me in paſſing one that appears inadequate to the good Ends propoſed, or that deprives the Government of having a due Share in the Management of an Affair wherein his Majeſty's Intereſt is ſo intimately concerned. I took into Conſideration the Bill, entituled, *An Act for preventing Abuſes in the* Indian *Trade*, &c. as ſoon as I received it, and now return it to you with ſuch Amendments thereto as appear to me both juſt and reaſonable, in which I hope I ſhall have your Concurrence. Though I intended to ſet out for *New-Caſtle* this Morning early, to meet the Aſſembly of my other Government, I have this Bill ſo much at Heart, that I have delayed my Journey till the Afternoon, before which, I hope, I ſhall know the Reſult of your Determinations upon the Amendments propoſed.

'I now lay before you a Letter I received laſt Night from the Governor of *New-York*, with Intelligence that a Number of *Seneca* Warriors are gone to join the *Delawares*, or *River-Indians*, and fall on the Southern Provinces, *Miniſink* and *Eſopus*. This, among other Reaſons, induces me again to preſs you to proceed on the ſeveral important Matters recommended to you in my laſt Meſſage without Loſs of Time.

'I hope my Journey to *New-Caſtle* will not occaſion you to adjourn over to a further Day, as I am perſuaded I ſhall not be detained there above a Fortnight at moſt, againſt which Time you may prepare ſuch Bills as were recommended to you.

October 20, 1757. *WILLIAM DENNY.*"

The Houſe taking into Conſideration the Governor's Amendments on the Bill for preventing Abuſes in the *Indian* Trade, *&c.* brought down by the Secretary, admitted ſome of the ſaid Amendments, and in others adhered unanimouſly to the Bill: And the ſaid Amendments agreed to by the Houſe being tranſcribed,

Ordered, That Mr. *M'Connaughy* and Mr. *Strickland* wait on the Governor therewith, and return to his Honour the Bill ſent down by the Secretary this Morning, and deſire he will be pleaſed to paſs the ſaid Bill as it now ſtands.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Members appointed to wait on the Governor, reported, they had delivered the ſaid Bill and Amendments, with the Meſſage of the Houſe, according to Order; and that his Honour was pleaſed to ſay, he would take the ſame into his immediate Conſideration.

The Governor again ſent down the Bill for preventing Abuſes in the *Indian* Trade, *&c.* by the Secretary, who acquainted the Houſe, that his Honour adhered to all his Amendments on the ſaid Bill, as otherwiſe he muſt give up the moſt eſſential Rights of Government, which he was not inclined to do.

The Queſtion being then put, whether the Houſe do adhere to their Bill, as laſt ſent up to the Governor? the ſame was unanimouſly reſolved in the Affirmative.

A Petition from *Joſhua Humphreys* was preſented to the Houſe and read, praying to be appointed the Officer for inſpecting and branding of Flour exported from this Province. *Referred to further Conſideration.*

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

October 21. The Houſe taking under Conſideration ſome material Omiſſions in, and conſiderable Differences between, the Minutes of the Treaty held at *Eaſton*, as printed by Order of the

the Governor, and those delivered to the House by Mr. *Charles Thompson*, Secretary to *Teedyuscung*, King of the *Delawares*, 1757. *October* 21.

Ordered, That the latter be forthwith printed, and that the Committee of the House appointed to attend the Governor to the said Treaty, do report thereon, and publish their said Report as an Appendix to the said last mentioned Minutes.

Then the House adjourned to the Second Day of *January* next. Adjournment

A QUORUM of the Representatives being met, pursuant to their Adjournment, and acquainted that Mr. Speaker was so much indisposed as to be unable to attend public Business, they proceeded to the Choice of another in his Room, and THOMAS LEECH, Esq; was unanimously chosen Speaker, and accordingly placed in the Chair. 1758. *January* 2. *Post Meridiem*

Ordered, That Mr. *Fox*, Mr. *Masters*, Mr. *Owen*, Mr. *Gibbons*, Mr. *Carpenter* and Mr. *Yorke* wait on the Governor, and acquaint him, that the late Speaker being through Indisposition prevented from attending the House, the Members have made Choice of another in his Stead, and desire to know when the Governor will be pleased to receive the House, to present him.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would receive the House in the Council Chamber, at Twelve o'Clock To-day, to present their Speaker. *January* 3.

A Message by Mr. Secretary:

SIR,

" The Governor requires the Attendance of the House, in the Council Chamber " immediately, to present their Speaker."

Mr. Speaker then, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, of whom he was pleased to express his Approbation. That the Speaker had then said, that as the late Speaker had claimed the usual Privileges, it was needless for him to repeat them, except that which related particularly to himself as Speaker, *viz.* that his unwilling Mistakes might be excused, and not imputed to the House.

Mr. *Hunt*, Mr. *Grubb*, Mr. *Carpenter* and Mr. *Allen*, returned Representatives for the Counties of *Chester*, *Lancaster* and *Cumberland*, appearing in the House, took and subscribed the Qualification appointed by Law to be taken by the Members of Assembly, and then took their Seats accordingly.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Ordered, That Mr. *Baynton* and Mr. *Morton* wait on the Governor, and acquaint him that the House are ready to proceed on any Business he may be pleased to lay before them, and report the Answer from his Honour to the House To-morrow. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had some Business of great Importance to lay before the House, which should be communicated to them by a Message this Forenoon. *January* 4.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'IN my Message to you at your first Meeting in *October* last, I laid before you several Matters, which as they appeared to me of the utmost Consequence to his Majesty's Interest, and the Well-being of this Province, I pressed you to take into your immediate Consideration, and give them all possible Dispatch. In Consequence of which you prepared and sent up to me one Bill only for regulating the *Indian* Trade; to which I proposed such Amendments as I thought reasonable, but on your refusing to accede thereto, that necessary Bill was laid aside, and you were pleased to adjourn to Yesterday, without proceeding at that Time to the other Matters recommended to you. I now refer you to that Message, and again press you in the most earnest Manner to resume the Consideration of the several Matters therein mentioned. The Supplies necessary not only for the Protection and Defence of this Province, in the present critical and dangerous Situation of Affairs, but for the Payment of the Money now in Arrear to the Provincial Forces, merit your first Attention. In this you no Doubt will have particular Regard to the Circumstances of your Constituents, and consider whether some other Modes of raising Taxes, such as are practised in our Mother Country, or the other Colonies, ought not to be pursued, to come in Aid of the Taxes which you may think proper to lay on Estates Real and Personal. In Pursuance of the Treaty of A Message from the Governor to the Assembly.

1758. January 4.

'Peace concluded with *Teedyuſcung*, and the Confederate *Indians*, at *Eaſton*, in *Auguſt* 'laſt, I have ſent Commiſſioners to *Wyoming* to erect Houſes there for their Habitation, 'and now lay before you the Commiſſioners Report to me of the Progreſs made by them 'in Diſcharge of their Truſt; in which they ſhew, that their Return, before their Or- 'ders were fully carried into Execution, was owing to a Requeſt made by *Teedyuſcung*, 'that the Finiſhing the Work ſhould be deferred till the Spring.

'After your Adjournment, a temporary Expedient was agreed upon by me and the 'late Provincial Commiſſioners to prevent the fatal Conſequences that might have at- 'tended the not ſupplying the *Indians* with a Store of Winter Goods at *Shamokin*, agree- 'able to the Promiſes made them at *Lancaſter*, and Goods, to the Value of *One Thou- 'ſand Pounds*, have been ſent up to that Place, under the Care and Direction of Mr. '*John Carſon*, who was commiſſioned by me for that Purpoſe. Though this may ſa- 'tisfy the *Indians* for the preſent, yet nothing can ſo effectually ſecure to us their Al- 'liance and Affection, or guard againſt their being abuſed and impoſed on in their Deal- 'ings with us, as a proper Law to regulate the Trade with them, and I think myſelf 'obliged once more warmly to recommend to you the Preparing a Bill for that Purpoſe.

'I lay before you a Letter from Lord *Colvill*, Commander in Chief of his Majeſty's 'Ships and Veſſels in *North-America*, requeſting a Supply of Seamen from this Province 'to recruit the Ships under his Lordſhip's Command, and hope that you will enable 'me ſpeedily to comply with a Demand ſo neceſſary for the Protection of his Majeſty's 'Colonies.

'If any Thing material ſhould occur during the Time of your Sitting, I ſhall take 'Care to communicate it to you. All I have at this Time further to recommend to you 'is, that in your Deliberations you will act with Vigour, Temper, and Moderation, which 'at all Times are neceſſary in public Councils, but are more particularly ſo in the Co- 'lonies at this Conjuncture.

January 3, 1758. *WILLIAM DENNY.*"

With the foregoing Meſſage, the Secretary delivered ſundry Papers, which were ſeverally read, and entituled as follow, *viz.*

1. *A Letter dated at* Halifax, November 14, 1757, *from Lord* Colvill, *Commander in Chief of his Majeſty's Ships and Veſſels in* North-America, *to his Honour the Governor*; requeſting a Supply of as many Seamen, and able-bodied Landmen, as can be raiſed in this Colony, may be ſent, with the utmoſt Diſpatch, to *Halifax*, to recruit the Ships under his Command.

2. *A Letter dated at* Barnabas Hughes's, Lancaſter *County*, November 23, 1757, *from* John Hughes, Edward Shippen, *and* James Galbreath, *Eſquires*, Indian *Commiſſioners, to the Governor*; containing a Report of their Proceedings at *Wyoming*.

3. *A Letter dated at Fort* Auguſta, December 17, 1757, *to the Governor, from* John Carſon, *Provincial Agent for opening a Trade there on Behalf of this Government, with our* Indian *Allies, in order to ſupply them with Cloathing, and other Neceſſaries: Alſo an Account of Sales of the Goods already diſpoſed of, together with the Furs and Skins received in Exchange for them.*

4. *A Letter to the Governor, dated at* Bethlehem, December 31, 1757, *from Mr.* William Edmonds; with Advice, that *John Jacob (Teedyuſcung's* Son) was returned in Thirty-one Days from the *Allegheny* Town, and brought an Account that he had ſeen ſome of the *Indian* Chiefs (the Head of whom is *Caſteregua)* who, upon enquiring for News of the ſaid *John Jacob*, was acquainted by him with the Peace concluded at *Eaſton* with the Conſent of the *Six Nations*, which they (the ſaid Chiefs) were glad to hear of: That when he came away he heard *Tom Leman* was come amongſt them with a large Belt given by the Governor at the laſt Treaty, from which *Teedyuſcung* ſoon expected to hear of good Effects. That the ſaid *John Jacob* further related, while they were at the *Allegheny* Town, which is about twenty Miles from the *French* Fort called *Venango*, there came Deputies from the *French* with five Strings, who ſaid they intended in three Months from that Time to aſſemble many Soldiers, and expected alſo ſome *French Indians*, whom they called their own Sons, to join them in attacking the Fort at *Shamokin*, and that they came with thoſe Strings to invite them to aſſiſt in the Attempt; but *Caſteregua* on hearing the good News of Peace concluded at *Eaſton*, told his young Men they ſhould all ſtay at Home, and not liſten to the *French*, but to the Peace lately made by their Brethren the *Delawares*; and this he engaged with *John Jacob* for his young Men at that Town; though he could not ſay any Thing in Behalf of another Town about Fifty-five Miles diſtant on the Waters that come from the Great Lake.

Ordered, That the Governor's Meſſage and the ſaid Papers lie on the Table for the Peruſal of the Members.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. Upon Motion by Mr. *Walker*, a Repreſentative for the County of *Bucks*, acquainting the Houſe with the Deceaſe of *John Abraham Denormandie*, Eſq; a late Member of this Aſſembly for the ſaid County,

Ordered,

Ordered, That Mr. Speaker do issue his Order to the Provincial Secretary, requiring him to issue a Writ to the Sheriff of the County of *Bucks*, for electing another Person in the Room and Stead of the said deceased Member. 1758. *January* 4.

The House then went upon the Consideration of the Governor's Message, and, after some Time spent therein,

Ordered, That Mr. *Walker* and Mr. *Vanhorne* wait on the Governor, and acquaint him, that the House desire he will be pleased to furnish them with an Estimate of the Supplies required for the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, reported they had delivered the same according to Order; and that his Honour was pleased to say, he would furnish the House with an Estimate of the Supplies required for the current Year as soon as possible. *January* 5.

The House resumed the Consideration of the Governor's Message by Paragraphs, and, after some Time spent therein,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Smith*, Mr. *Ashbridge*, Mr. *Carpenter*, Mr. *John Wright* and Mr. *Allen* be a Committee to prepare and bring in a Bill to regulate the *Indian* Trade.

Mr. Speaker laid before the House a Copy of his Order to the Provincial Secretary for issuing a Writ for a new Election of a Member of Assembly in the Room of *John Abraham Denormandie*, Esq; lately deceased; and the said Order being read, follows in these Words, *viz.*

Pennsylvania ss.

BY a Resolve of this Assembly on the Fourth of this Instant, I am impowered and directed to order the Provincial Secretary, that he do issue a Writ to the Sheriff of the County of *Bucks*, for the Election of a Member to serve as a Representative in this Assembly for the said County of *Bucks*, in the Room and Stead of *John Abraham Denormandie*, Esq; lately deceased. Speaker's Order to the Secretary, &c.

Therefore, by Virtue of the said Resolve, and in Pursuance of an Act of Assembly of this Province in that Case made and provided, I do require that a Writ be issued to the Sheriff of the said County, for the Purpose aforesaid, according to the Directions of the said Law. Dated at *Philadelphia*, the Fifth Day of *January*, *Anno Domini* 1758.

THOMAS LEECH, *Speaker.*"

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Committee appointed to prepare and bring in a Bill for regulating the *Indian* Trade, reported, they had made some Progress therein, and desired longer Time to complete the same, which was granted them. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Upon Motion, *January* 6.

An Address, presented to his Honour the Governor by *William Moore*, a Magistrate of *Chester* County, on the Nineteenth of *October* last, and afterwards printed in the public News-papers, containing many injurious Charges, and slanderous Aspersions against the Conduct of the late Assembly, and highly derogatory of, and destructive to, the Rights of this House, and the Privileges of Assembly, was read by Order; and after some Time spent in the Consideration thereof,

Ordered, That Mr. Speaker do immediately issue his Warrant to the Serjeant at Arms, requiring him to bring the said *William Moore* forthwith to the Bar of this House, to answer such Questions, touching the said Address, as shall there be put to him.

Upon Motion,

That there is Reason to suspect that *William Smith*, Provost of the Academy of this City, hath been concerned in writing the aforesaid libellous Address of *William Moore*, or in some other Manner an Abettor of the same,

Ordered, That Mr. Speaker do immediately issue his Warrant to the Serjeant at Arms, requiring him to bring the said *William Smith* forthwith to the Bar of this House, to answer such Questions as shall then and there be put to him, concerning the said Address.

The House being acquainted that the Serjeant at Arms was attending with *William Smith* at the Door, he was ordered in, and examined, and afterwards committed to the Custody of the Serjeant at Arms, till further Orders from this House.

The House having received Intelligence that *Thomas Bond*, *Phineas Bond* and *Michael Lovell* could probably give them some Information respecting the Author or Authors of the said libellous Address against the late Assembly,

Ordered, That Mr. Speaker do forthwith issue a Summons for each of those Gentlemen, requiring their immediate Appearance before the Bar of this House, to answer such Questions as shall be put to them, respecting the said Address.

The House being informed that the Serjeant at Arms was attending at the Door with

Dr.

1758. *January* 6. Dr. *Phineas Bond*, he was ordered in, and acquainted by Mr. Speaker, that the Houſe having had Intimations that he could give them ſome Light in relation to a ſcandalous Libel, entituled, *The humble Addreſs of* William Moore, lately publiſhed in the Weekly News-papers of this City, they had required his Appearance before them, to declare what he knew concerning the ſaid Addreſs.

He replied, that as the Houſe muſt be ſenſible the Notice given for his Appearance before them was ſo ſhort, that he could not but be unprepared to anſwer the Queſtions they might think proper to put to him, he hoped he ſhould be ſo far indulged as to receive the Queſtions of the Houſe in Writing, and be allowed ſome little Time for Recollection, and to conſult with his Friends, before he returned his Anſwers, which could not otherwiſe be made with any ſatisfactory Degree of Strictneſs or Certainty.

He was then ordered to withdraw, and Mr. Speaker having collected the Sentiments of the Houſe, reſpecting his Requeſt of Time, and the Queſtions in Writing, the ſaid *Bond* was again called in, and acquainted, that his Requeſt being unprecedented, and ſuch as could not have any Foundation in Reaſon, ſince the Queſtions intended to be aſked him had no Tendency to criminate himſelf, the Houſe were not diſpoſed to grant it, but required that he would proceed immediately to give his Evidence in the uſual Way.

The ſaid *Bond*, ſtill heſitating, and more ſtrenuouſly urging the Impoſſibility of an immediate Compliance with the Demand of the Houſe, for certain Reaſons only known to himſelf, and which he could not impart to them, was further acquainted, that the Houſe, in Regard to his known Connections with Mr. *Moore*, were diſpoſed to treat him with the utmoſt Lenity in their Manner of taking his Evidence, and ſhould aſk him no Queſtions which had any Tendency to criminate that Gentlemen, or himſelf, but only a third Perſon, to whom he was not publicly known to be under any Obligations; but even admitting he ſhould, that thoſe Obligations ought not to be put in Competition with, or obſtruct, public Juſtice; and therefore he could have no reaſonable Plea for any longer refuſing an immediate Anſwer to the following Queſtion, *viz.*

Whether to his Knowledge a Paper, containing the Subſtance of an Addreſs preſented to the Governor, and ſubſcribed *William Moore*, was corrected, altered, or amended at any Time whatever by *William Smith*, Provoſt of the Academy of this City? —— To which, after ſome Deliberation, the ſaid *Bond* replied, I will not give a categorical Anſwer to that Queſtion at this Time; whereupon he was ordered into Cuſtody of the Serjeant at Arms, and the Houſe taking into Conſideration the general good Character of the ſaid Evidence, together with the Difficulties he might be under from his particular Situation, and being altogether averſe to a rigorous Procedure againſt him, while there was any Proſpect of Succeſs from the contrary,——

Reſolved, That nothing which the ſaid *Phineas Bond* ſhall teſtify or declare in the Courſe of his preſent Examination before this Houſe, ſhall in any wiſe, or on any Occaſion, be of any Force, Validity, or Effect, in charging him the ſaid *Bond* with any Offence or Miſdemeanor in promoting, writing, or abetting, a certain ſcandalous Libel againſt the late Aſſembly, entituled, *The humble Addreſs of* William Moore, *one of the Juſtices of the Peace for the County of* Cheſter.

And the ſaid Evidence being again ordered in, the ſame was read to him; but he ſtill obſtinately perſiſting in his Refuſal to give a direct Anſwer at this Time to the Queſtion,

Reſolved, That the ſaid Refuſal is an high Contempt to the Authority and Powers of this Aſſembly, and hath a manifeſt Tendency to ſuppreſs the Truth, and obſtruct public Juſtice. Therefore

Ordered, That the ſaid *Phineas Bond* be committed to the Cuſtody of the Serjeant at Arms, until he ſhall make Anſwer to the ſaid Queſtion, or till further Orders from this Houſe, and that the Serjeant do not permit any Perſon whatſoever to converſe with, or ſpeak to, the ſaid *Bond*, but in his Preſence and Hearing.

Doctor *Thomas Bond* was then ordered in, and, after being examined by the Houſe, was directed to withdraw.

The Serjeant at Arms acquainting the Houſe that Doctor *Phineas Bond*, committed to his Cuſtody, requeſted the Indulgence of being further heard before them, he was again admitted, and addreſſing himſef to the Chair, acquainted the Houſe, that as a certain Evidence examined before them ſince he was, had in the Courſe of his Teſtimony, diſcloſed ſome Facts, which he had apprehended himſelf obliged by the Ties of Honour and Friendſhip to conceal, he now thought he was thereby abſolved from thoſe Obligations, and would candidly anſwer the Queſtion before propoſed to him: Whereupon the ſaid Queſtion being again put to him, and the ſaid *Bond* giving a direct and ſatisfactory Anſwer thereto,

Ordered, That he be diſcharged from the Cuſtody of the Serjeant at Arms.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 7. The Serjeant at Arms attending at the Door with *Michael Lovell*, *Robert Levers*, *David*

David Hall and *William Bradford*, in Pursuance of the Order of the House for that Purpose, they were severally called to the Bar, and, after being examined, were ordered to withdraw. 1758. *January* 7.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *January* 9. *Post Meridiem*

The Governor, by the Secretary, sent down a written Message tothe House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I RECEIVED an Address from the late Assembly of this Province, dated the Twenty-eighth of *September* last, wherein they in general Terms charged *William* '*Moore*, Esq; one of the Justices of the Peace for the County of *Chester*, with Extortion, and divers other oppressive and illegal Practices committed by him in the Execution of his said Office; and therefore entreated me to remove him from the Offices of Judge of the Court of Common Pleas, and Justice of the Peace, and from all other public Offices, Posts and Employments whatsoever under his Majesty within this Government. In Answer to this Address I informed that Assembly, as common Justice required that no Man should be condemned unheard, in any Matter that affected his Life, Fortune or Character, I could not think myself justified in removing Mr. *Moore* from his public Employments, till I had made him acquainted with the Complaints and Evidence exhibited against him, and given him an Opportunity of making his Defence, and therefore desired they would furnish me with Copies of the Petitions and Proofs on which their Application to me against him was founded, and that, on a full Hearing, strict Justice should be done, both to him and the Public. From the Moment I received the above Address, I determined on a full and close Enquiry into the Charges against Mr. *Moore*, and to make a public Example of him, as far as my Power extended, if it should appear he had misbehaved himself, or oppressed his Majesty's Subjects under Colour of his Office: And to that End I appointed this Day for hearing all the Proofs in the Case, after due Notice being given to the Parties and their Witnesses. Accordingly I attended on that Occasion this Morning, with my Council, in the Council Chamber at the State-house, but received a Letter from Mr. *Moore*, informing me, that he was arrested on *Friday* last, by a Deputy of your Serjeant at Arms, and brought to this Town by Warrant from your House, and is now confined in close Custody, and therefore could not appear in Obedience to my Order, to make his Defence. I thought it proper to give you this Information, to shew you I was sincerely disposed to do every Thing in my Power, consistent with the Rules of Justice, in this Matter, and that any Delay therein cannot be imputed to me.

January 9, 1758. *WILLIAM DENNY.*"

The House taking the foregoing Message from the Governor into Consideration, after some Time spent therein,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Strickland*, Mr. *Gibbons*, Mr. *Saunders*, Mr. *John Wright*, Mr. *Allen* and Mr. *Yorke* be a Committee to draw up and bring in an Answer to the said Message.

Upon Motion,

That the Reverend Mr. *Hanshew*, a *Lutheran* Minister, could give some Information to this House, touching the Share and Concern which *William Smith*, Provost of the Academy, hath had in translating and publishing in *Dutch* a late scandalous Libel, entituled, *The humble Address of* William Moore, *one of the Justices of the Peace for the County of* Chester.

Ordered, That Mr. Speaker do forthwith issue an Order, requiring the said *Hanshew* to give his Attendance immediately before this House, to answer such Questions as shall then and there be put to him touching the said Address.

The House being informed that the Serjeant at Arms was attending at the Door with the said *Hanshew*, he was ordered in, and, after being examined by the House, withdrew.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee appointed to prepare an Answer to the Governor's Message of Yesterday, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, and considered by Paragraphs, was agreed to, and ordered to be transcribed. *January* 10.

The Petition of *John Bound*, junior, was presented to the House and read, praying Redress of the Injustice done him by *William Moore*, Esq; in reversing a Judgment given in his Favour by Justice *Lightfoot*, and adjudging the Petitioner to pay the Costs of both Suits.

A Petition from the Overseers of the Poor of the City of *Philadelphia* was presented to the House and read, praying Provision may be made for repaying the Sums they have advanced in Support of the *French* Neutrals.

1758. Then the Houſe adjourned to Three o'Clock, *P. M.*

January 10. *Poſt Meridiem* A Petition from *Jane Rogers* was preſented to the Houſe and read, complaining of *William Moore's* unjuſtly detaining Money from her, due to the Eſtate of her late Huſband *Daniel Howell*, deceaſed.

The Petition of *Joſeph Rogers* was preſented and read, praying Redreſs of the Injuſtice of *William Moore*, in refuſing to ſettle Accounts with him, and pay a Balance due to the Petitioner.

The Petition of *Theophilus Thomas*, and others, was preſented to the Houſe and read, praying an Amendment of the Law concerning Adminiſtrations.

The Anſwer to the Governor's Meſſage being tranſcribed, was read, ſigned by Mr. Speaker, and follows in theſe Words, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. THE late Aſſembly of this Province did addreſs your Honour to remove *William Moore*, Eſq; from all public Offices, Poſts and Employments whatſoever under his Majeſty in this Government, being convinced, on an impartial Enquiry, that he had greatly miſbehaved himſelf in his public Office as a Juſtice of the Peace, and that, as he had ſo manifeſtly violated the Truſt repoſed in him, he was unworthy of all public Truſt and Confidence whatſoever. This Enquiry, we beg Leave to obſerve, was attended with the ſame Rules of Juſtice your Honour intends to proceed on, "that of making him ac- "quainted with the Complaints and Evidence exhibited againſt him, and of giving him "an Opportunity of making his Defence." — This, that Aſſembly was conſcious, common Juſtice required, and therefore gave *William Moore* repeated Notice of their Reſolution to examine into the Aggrievances complained of, and required his Attendance to exculpate himſelf, and prove his Innocence, if in his Power, as appears from the Minutes of the Houſe.

It is likewiſe true, that the ſaid *William Moore* was arreſted by a Deputy of our Serjeant at Arms, and is now in Cuſtody for publiſhing an inſolent and ſcandalous Libel, replete with the moſt indecent Calumnies, and ſhameful Falſhoods, againſt the late Aſſembly of this Province, tending in the moſt evident Manner to bring the Authority and Dignity of the Houſe of Repreſentatives into Deriſion and Contempt among the People, and to a Diſſolution of ſome of the moſt eſſential Powers and Privileges of the Conſtitution.

This your Honour cannot be a Stranger to, as the Author had the Aſſurance to addreſs and preſent it to your Honour, and afterwards publiſh it in the public Gazette.

We ſhould think ourſelves extremely defective in our Duty to the late, as well as all future Aſſemblies, had we not, prior to all other Buſineſs, taken the neceſſary Steps to bring to Juſtice ſuch an heinous Offender againſt the Peace, Tranquillity and Authority of the Conſtitution.

And we hope, when your Honour conſiders how neceſſary it is that both the Branches of the Government ſhould act in Concert, when the legal Rights and Powers of either are abuſed, that you will chearfully concur, if neceſſary, in ſupporting the Rights and Privileges of the Aſſembly, and in puniſhing thoſe who ſhall dare to infringe or invade them; for, permit us to remark, the ſame reſtleſs and factious Spirit that ſhall have Wickedneſs enough to inſult the one, will be prevailed on to abuſe the other: And ſhould they ſucceed in their arbitrary Deſigns of cruſhing the Powers of the Aſſembly, may with the ſame Reſolution attack the other Branch of the Conſtitution, and, if poſſible, reduce it to equal Deriſion and Contempt; to prevent which inconceivable Miſchief, nothing can be ſo effectual as a ſteady Unanimity in the Legiſlature, and a due Exertion of the Powers of each, for the Preſervation of both.

It is therefore with Pleaſure we obſerve your Honour is determined, as far as your Powers extend, to make a public Example of ſuch who have miſbehaved or oppreſſed his Majeſty's Subjects, under Colour of their Offices, and that you are "ſincerely diſpoſed "to do every Thing in your Power, conſiſtent with the Rules of Juſtice," with reſpect to the Complaints and Petitions againſt *William Moore*.

At the Time we, in the Character of the late Aſſembly, preſented the Addreſs againſt him to your Honour, we did expect that, upon an impartial Examination of the Aſſembly into the Complaints and Oppreſſion of their Conſtituents, you would have been pleaſed to have removed a Perſon from his public Offices, who, it appeared from the Petitions and Examinations, taken on Oath, and laid before your Honour, had ſo heinouſly offended, and been ſo long in the conſtant Practice of diſtreſſing the poor and neceſſitous Part of the People.

A Multitude of Inſtances might be adduced to your Honour, where this has been done by the Crown, upon the Examinations of the Commons, whoſe Power of Enquiry into the Grievances of the People has been eſtabliſhed ever ſince the Exiſtence of the preſent happy Conſtitution: But as your Honour ſeems determined not to remove him without an Enquiry into the Facts before yourſelf, "and to that End had appointed a Day for

"hearing

" hearing the Proofs," we beg Leave to remark, that we never had any Notice of that Appointment, which we humbly conceive we ought to have had, in order to enable us to have drawn up the Charges againſt him in ſo many ſeveral Articles of Impeachment, directed proper Perſons to proſecute in Behalf of the injured and diſtreſſed People, and to have had a Committee of the Houſe preſent during the Courſe of the Trial. 1758. January 10.

Theſe Steps, may it pleaſe your Honour, are ſtrictly agreeable to the Uſage of Parliament, and Cuſtoms of our Mother Country, which we hope will ever be (as they ought) the invariable Rules of the Conduct of both the Branches of the Legiſlature. Without this no regular or legal Procedure can be had in the Trial of any Perſon whatſoever before your Honour, no more than an inferior Court can proceed to try and convict a Felon, without a Preſentment or Indictment from the Grand Inqueſt for that Purpoſe. The Power of impeaching is inconteſtably in the Aſſembly, by the Charter of Privileges, and an eſtabliſhed Law of the Province; and the Power of determining ſuch Impeachments in the Governor alone: And therefore a Concern for the Honour of the Governor, and the Rights of the People we repreſent, obliges us to inform him, that all Hearings and Trials before the Council, where they aſſume a Voice in the judicial Determination, is an high Infringement on the Rights of the People, a Violation of theCharters of the Province, and an Innovation in the Conſtitution, as it would be erecting a new Court of Judicature, unknown in the Government before, which neither the Laws or Charters of the Province will ſupport or countenance.

Therefore, in order to avoid a Failure of Juſtice, and at the ſame Time to ſupport the Rights and Privileges of the Conſtitution, and Uſages of Parliament, we requeſt your Honour will appoint a Day for the Trial of *William Moore*, upon ſuch Articles of Impeachment as ſhall be exhibited againſt him by this Houſe; upon due Notice whereof we will with all Expedition proceed to draw up in Form ſuch of the People's Complaints as are of the moſt heinous Nature, and can be evidently proved againſt him, and preſent them to your Honour, for your Determination thereon. As ſoon as this is done, our Serjeant at Arms ſhall either attend with the Priſoner in his Cuſtody, or deliver him over to ſuch Perſon as your Honour ſhall appoint for that Purpoſe, during the Trial, as ſhall be moſt agreeable to your Honour.

Signed by Order of the Houſe,

January 10, 1758. THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Trimble* and Mr. *Aſh* wait upon the Governor, and deliver the ſaid Meſſage.

A Petition from *Samuel Lightfoot*, and ſundry others, of *Pikeland* Townſhip, was preſented to the Houſe and read, praying a Reviſal and Amendment of the Law for recovering Debts under *Forty Shillings*.

A Petition from ſundry Inhabitants of *New-London* Townſhip, in the County of *Cheſter*, was preſented to the Houſe and read, ſetting forth the arbitrary and unjuſt Proceedings of *William Moore*, in the Settlement of *John Frew's* Affairs, and praying the Removal of ſaid *Moore* from his Office of Juſtice of the Peace.

A Petition from many of the Freeholders of *Cheſter* County, preſented to the Governor, praying the Removal of *William Moore* from his Office of a Magiſtrate for the ſaid County, was alſo preſented to the Houſe and read.

The Petition of *John Bound* was preſented and read, praying Redreſs againſt the Injuſtice and Oppreſſion of *William Moore*, Eſquire.

Another Petition from the Freeholders of *Cheſter* County was preſented and read, praying the Removal of *William Moore*, Eſq; from his Office of a Magiſtrate.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on the Governor with a Meſſage from the Houſe of Yeſternight, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take it into Conſideration, and give it ſuch an Anſwer as it required. *January* 11.

The Petition of *Andrew Parks* was preſented and read, ſetting forth the illegal, arbitrary and cruel Proceedings of *William Moore's* Conſtables againſt him, and praying Redreſs of the ſame.

The Houſe being acquainted that the Serjeant at Arms was attending at the Door with *William Moore*, he was ordered in, and being ſhewn a printed Paper, with the Manuſcript from which it was printed, containing an Addreſs to the Governor againſt the late Aſſembly, ſubſcribed *William Moore*, he, the ſaid *Moore*, was aſked by Mr. Speaker, whether he was the Author of ſaid Addreſs, ſhewn him both in Manuſcript and in Print? To which the ſaid *Moore* (after examining the ſaid Manuſcript) replied, that it was his own Hand-writing, and that he had delivered the ſame to the Printer for Publication, in Juſtice to his Character, which he apprehended had been much aſperſed and injured by an Addreſs preſented to the Governor by the late Aſſembly, deſiring his Removal from his public Offices.

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1758. *January* 11. The ſaid *Moore* was then further aſked, whether he had been aſſiſted in drawing up, writing or amending the ſaid Addreſs?—To which he anſwered as follows: — "I drew "it up myſelf, Part at my own Houſe, and Part in Town; — I did indeed ſhew it to "ſeveral of my Friends, who made few or no Alterations in it; I am therefore the "Author of it myſelf."

It being then moved, that ſome Petitions preſented Yeſterday and this Morning to the Houſe againſt the ſaid *Moore*, be read, and the Evidences attending in Support of the ſaid Petitions be called in and examined before him:——He replied, that as he was not acquainted with the Nature of the Charges contained in thoſe Petitions, he could make no immediate Anſwers to them, and ſhould therefore be ſilent in caſe they were read, believing the Houſe had no Cognizance of ſuch Matters.

The ſaid *Moore* was then ordered to withdraw, and to be continued in Cuſtody of the Serjeant at Arms till further Orders.

Reſolved, That the ſaid *William Moore* is guilty of an high Contempt to the Authority of this Houſe, in ſuch Refuſal and Declaration, that he will not anſwer before them to the Petitions exhibited againſt him.

The Houſe taking into Conſideration the unreſerved Confeſſion made by the ſaid *William Moore* of his being the Author and Publiſher of the ſaid libellous Addreſs againſt the late Aſſembly,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Carpenter*, Mr. *Aſh*, Mr. *Melvin* and Mr. *Yorke* be a Committee to draw up ſuch Reſolves as may be proper for this Houſe to make on the ſaid libellous Paper, entituled, *The humble Addreſs of* William Moore, *one of the Juſtices of the Peace for the County of* Cheſter.

Ordered, That *William Moore* be immediately furniſhed with Copies of the Petitions of *Andrew Parks* and *John Bound*, ſenior, preſented Yeſterday and this Forenoon to the Houſe; and that this Houſe will proceed to hear the Evidences attending in Support of the ſaid Petitions this Afternoon; alſo, that the Serjeant at Arms have Notice to bring the ſaid *Moore* again before this Houſe, that he may be preſent at the ſaid Examination.

Ordered, That Mr. *Hughes*, Mr. *Pearne* and Mr. *Baynton* be a Committee to examine and ſelect the moſt material Petitions preſented to the late as well as to this preſent Aſſembly againſt the ſaid *William Moore*, and report the ſame to the Houſe, and that the Clerk do ſerve the ſaid *Moore* with Copies of the Petitions ſo ſelected.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

The Committee appointed to draw up Reſolves upon the Addreſs of *William Moore*, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read, were agreed to, and follow in theſe Words, *viz.*

Report of the Committee on *William Moore's* Addreſs. THE Committee appointed to draw up ſuch Reſolves as ſhould be proper for this Houſe to make on *The humble Addreſs of* William Moore, *one of the Juſtices of the Peace for the County of* Cheſter, beg Leave to report the following, and ſubmit them to the Correction of the Houſe:

Reſolved, 1. That to write or publiſh any Piece or Libel, reflecting upon the Proceedings of the preſent or laſt Houſe of Aſſembly of this Province, or any Member thereof, for, or relating to, his Service therein, is an high and manifeſt Violation of the Rights and Privileges of the Repreſentatives of the People.

Reſolved, 2. That the Piece, entituled, *The humble Addreſs of* William Moore, *one of the Juſtices of the Peace for the County of* Cheſter, is a falſe, ſcandalous, virulent and ſeditious Libel, highly reflecting on the Honour, Dignity and Proceedings of the laſt Houſe of Aſſembly of this Province, by charging them, when in the faithful Diſcharge of their Duty, with Partiality, Corruption, Oppreſſion and Perſecution, and tending to create Differences and Diſcontent between the two Branches of the Legiſlature, and Animoſities, Riots and Diſorders among the People.

Reſolved, 3. That to aſſert, either directly or indirectly, that an Aſſembly of this Province hath no Right or Power, or is not inveſted with legal Authority to hear the Petitions, examine into and redreſs the Aggrievances and Complaints of the People againſt public Officers, or in any other Caſe where the Subject is oppreſſed, tends to promote and encourage wicked Men in oppreſſing and diſtreſſing the Community, the Deſtruction of the Rights and Privileges of the Repreſentatives of the People, and the Subverſion of one of the fundamental and moſt eſſential Powers of the Conſtitution."

Reſolved, That it appears to this Houſe, upon the Confeſſion of the ſaid *William Moore*, that he did write, ſign and deliver to Mr. *David Hall*, to be publiſhed, a Manuſcript Copy of the ſaid libellous Addreſs; and therefore

Ordered, That the ſaid *William Moore* be forthwith committed to the common Goal of the County of *Philadelphia*, there to remain until he ſhall willingly make ſuch a Retraction of the Aſperſions and Falſhoods contained in the ſaid Libel, as this Houſe ſhall approve of, or obey ſuch other Order as this Houſe ſhall take for the ſame, during the Continuance of this preſent Aſſembly.

Ordered,

Ordered, That the said libellous Address be burnt by the common Hangman, at such Time and Place as this House shall hereafter direct and appoint. 1758. *January* 11.

Mr. *Moore* being again called in, and the foregoing Resolves and Orders distinctly read to him, he was asked, whether he would make the Submission and Recantation required by the House? and answered peremptorily in the Negative.

He then desired Leave to prefer a Complaint against the Behaviour of the Deputy Serjeant to him; but being acquainted, that though it was reasonable his Complaint, if well grounded, should be heard, yet the present was an improper Time for it, the Deputy being absent; but he might present it by Petition hereafter, and was ordered to withdraw.

The following Order being then made out, was signed by Mr. Speaker, by Order of the House, and delivered to *James Coultas*, Esq; Sheriff of the County of *Philadelphia:*

Pennsylvania, ss.

To James Coultas, *Esq*; *Sheriff of the County of* Philadelphia.

THE House of Assembly of this Province hath this Day adjudged *William Moore* for writing, signing and publishing a false, scandalous, virulent and seditious Libel against the last House of Assembly of this Province, and highly derogatory to, and subversive of, the Rights and Privileges of this present House; and also for a Contempt committed against this House, in refusing to answer to certain Petitions exhibited against him, complaining of Misdemeanors, and corrupt Practices in his Office as a Justice of the Peace for the County of *Chester*: These are therefore, in Behalf and by Order of the said last mentioned House of Assembly, to require and charge you to receive the said *William Moore* into your Custody, within the common Goal of your County, under your Charge, and him therein safely to keep and detain until you shall receive further Orders from this House. Hereof fail not, as you shall answer the contrary at your Peril. Given under my Hand, this Eleventh Day of *January*, in the Year of our Lord 1758. Speaker's Order to the Sheriff.

THOMAS LEECH, *Speaker.*"

Upon Delivery of the foregoing Mittimus to the Sheriff,

Ordered, That Mr. Speaker do give it in Charge to the Sheriff to keep his Prisoner *William Moore* in close Custody, agreeable to the Direction of the Commitment to him delivered, and that he do not obey any Writ of *Habeas Corpus*, or other Writ whatsoever, that may come to his Hands for the Bailing and Discharging the said *William Moore*, or otherwise discharge him from his Custody, on any Pretence whatsoever, and that this House will support him in his Obedience to this Order.

Resolved, That the House will proceed To-morrow Morning to hear and examine the Petitioners attending against *William Moore*, Esq;

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *January* 12.

The House proceeded, agreeable to the Order of Yesternight, to examine the Petitioners against *William Moore*, Esq; which having done, they were all dismissed.

The Governor sent down to the House an Estimate of the current Year's Expences, from the First of *January*, 1758, to the First of *January*, 1759; also, an Estimate of the Arrears due to the Provincial Forces to the First Day of *January*, 1758, and the annual Expence of the said Forces; which were severally examined, and are as follow, *viz.*

ESTIMATE of the current Year's Expence for the Province of Pennsylvania, *from the First of* January, 1758, *to the First of* January, 1759. Estimate of Supplies for the current Year.

ARREARS due to the Provincial Forces, as *per* Paymaster's Return, to the First of *January*, 1758, —— ——	£ 13,540	8	8
Contractor's Account for Provisions, due the First of *January*, 1758, (not yet come in) —— ——	5,000	0	0
Twenty-five Companies of Foot, Pay and Subsistence, as *per* Paymaster's Return, —— —— ——	66,301	4	2
Fire, Candles, *&c.* for the Guard at *Wicacoa* Fort, ——	50	0	0
Pay, Provisions, Ammunition, *&c.* for the Province Frigate, for nine Months Cruize, at £1,000 *per* Month, ——	9,000	0	0
Outset of the said Province Vessel, —— ——	500	0	0
Fire, Candles, and other Necessaries for the Barracks, ——	500	0	0
An Engineer to be taken into regular Pay, for the Service of the Province, at *Fifteen Shillings per* Day, —— ——	273	0	0
Contingencies, —— ——	10,000	0	0
	£105,164	12	10

To the above Estimate is to be added,

The Subsistence of the Neutral *French*, of which the Commissioners can give an Account,

The Expence of the Repairs of the Roads, as recommended by Lord *Loudoun*.

By his Honour's Command,

January 12, 1758. RICHARD PETERS, *Secretary.*"

1758. January 12.

ESTIMATE of Arrears of Pay due to the Province Forces of Pennſylvania, *to the Firſt Day of* January 1758, *and the Annual Expence of ſaid Forces*, viz.

Eſtimate of Arrears due to the Provincial Forces, &c.

TO the *Auguſta* Regiment, conſiſting of eight Companies, and one Company of Colonel *Weiſer's* Battalion, from the Tenth Day of *September*, to the Firſt Day of *January*,

(In each Company)					
One Captain, at *Ten Shillings per* Day, —					
One Lieutenant, at *Five Shillings and Six-pence*,					
One Enſign, at *Four Shillings*, ——					
Two Serjeants, at *Two Shillings* each, —					
Two Corporals, and one Drummer, at *One Shilling and Eight-pence* each, ——			£	5,045	8 0
Forty-eight private Soldiers, at *Forty-five Shillings per* Month, —— ——					
Major's Pay, at *Five Shillings per* Day, ——				28	0 0
Adjutant's, at *Two Shillings*, —— ——				11	4 0
Chaplain's, at *Six Shillings and Eight-pence*, ——				37	6 8
Surgeon's, at *Seven Shillings and Six-pence*, ——				42	0 0
Commiſſary of Stores, at *Ten Shillings*, ——				56	0 0
To Sixty Battoe-men, from the Tenth of *September* to the Firſt of *January*, at *Two Shillings and Six-pence per* Day each, — — ——				840	0 0
Auguſta Regiment, —— ——			£	6,059	18 8
To Colonel *Weiſer's* Battalion, from the Firſt of *October*, to the Firſt of *January*, eight Companies, as above,		£	3,640	16 0	
Lieutenant-Colonel's Pay, at *Seven Shillings per* Day,			32	4 0	
—— ——		£	3,673	0 0	
To Colonel *Armſtrong's* Battalion, from the Firſt of *Oct.* to the Firſt of *January*, eight Companies, as above		£	3,640	16 0	
Lieutenant-Colonel's Pay, at *Seven Shillings per* Day,			32	4 0	
Surgeon's at *Seven Shillings and Six-pence*, ——			34	10 0	
—— ——		£	3,707	10 0	
Military Secretary, his Salary, *per Annum*, —— ——				100	0 0
Total of Arrears due to the Firſt of *January* 1758, Errors excepted,		£	13,540	8 8	

Philadelphia, *January* 9, 1758. JAMES YOUNG, *Paymaſter*."

N. B. *The Sum due to the Contractors for Proviſions, is known to the Commiſſioners.*

Reſolved, That the Houſe will proceed To-morrow Morning to a further Hearing of *William Smith*, ſtill in Cuſtody of the Serjeant at Arms.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 13. The Serjeant at Arms attending, according to Order, with *William Smith*, he was called in, and acquainted from the Chair, that he was charged with being a Promoter and Abettor of the Writing and Publiſhing a Libel, entituled, *The humble Addreſs of* William Moore, *one of the Juſtices of the Peace for the County of* Cheſter, and was now brought to anſwer to the ſame before the Houſe.

The ſaid Addreſs being then read to him, he was further told, that the Houſe having taken ſome Evidences in Support of the Charge exhibited againſt him, they ſhould be read before him, and that afterwards he ſhould be at Liberty to call for and examine any Evidences he could produce to exculpate himſelf from the ſaid Charge.

In Anſwer, Mr. *Smith* begged Leave to remark to the Houſe, before they proceeded any further, that as he had never been ſerved with a Copy of the Charge againſt him, and therefore did not underſtand it, neither had been preſent at the Examination of the Evidence in Support of it, he was unprepared for his Defence, and therefore hoped the Houſe would allow him Copies of the Charge, and of his own Examination before them, and alſo Counſel, a future Day of Trial, and his Liberty (upon giving ſufficient Security) till that Day, in order to prepare for his Defence. He was then ordered to withdraw, and the Houſe taking into Conſideration the ſaid Requeſts,

Ordered, That the Clerk do furniſh the ſaid *Smith* with a Copy of the Minute containing the Charge againſt him, and alſo a Copy of his own Examination before this Houſe.

Reſolved, That the ſaid *Smith* be allowed Counſel, and a future Day of Trial.

Reſolved, That the ſaid *Smith's* Counſel, and ſuch others of his Friends as he ſhall chuſe to conſult with, have free Acceſs to him, and privately conſult with him under the Cuſtody of the Serjeant at Arms, in order to prepare for his Trial.

Reſolved,

Resolved, That next *Tuesday*, the Seventeenth of this Instant, be appointed the Day for the said Trial. 1758. January 13.

The said *Smith* being again called in, the foregoing Order and Resolves were read to him, and he was told, he must acquaint the House either this Evening or To-morrow Morning, what Gentleman he made Choice of for Counsel, and then withdrew.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment *Post Meridiem*

The House being acquainted that the Serjeant at Arms was attending at the Door with *William Smith*, agreeable to Notice, he was ordered in, and asked what Counsel he had made Choice of? To which he replied, he had not had an Opportunity, since he left the House, of speaking to some Gentlemen of the Law he intended to apply to, but before he came here in the Morning, he had asked Mr. *Chew* whether he would appear for him as Counsel, in Case it should be necessary, and the said *Chew* had consented to serve him. Mr. Speaker then informed the said *Smith*, that the House were of Opinion the Gentleman he had made Choice of, from the Nature of his Office as King's Attorney, ought not to be permitted to appear for him, and it was therefore the Advice of the House, that he should provide himself with other Counsel, and not depend singly upon the Attorney-General.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and is as follows, *viz.*

A Message from the Governor to the Assembly.

GENTLEMEN,

'ALL I intended by my last Message to you, was to shew you I had paid great Regard to the Remonstrance made to me by the late Assembly of this Province against Mr. *Moore*, and had taken the proper Steps to enquire into the Truth of the many Petitions exhibited against him; and further, to acquit myself from any Charge of Delay on that Occasion.

'I did not take upon me to require of you the Causes of his being arrested and imprisoned, nor do I think it now becomes me to enquire, whether the Address you mention contains libellous Matter against the late Assembly; or if it does, whether you, who (as you are pleased to say) *in the Character of the late Assembly, presented the Address against Mr.* Moore, can, in your present Capacity, as a new Assembly, take Notice of, and punish the Author of it. You no Doubt will judge how far your legal Power extends, and take Care to confine yourselves within the Limits by which it is circumscribed. You ought, and I am persuaded, will, support your own Dignity and legal Rights, in which you will always find me ready, if necessary, to join and act in Concert with you, so far as I have Power to do it.

'I cannot help observing, that from several Parts of your last Message, you seem apprehensive that, in the Steps taken by me to bring the Complaints against Mr. *Moore* to a full Hearing, I have attempted *to establish a new Judicature, unknown to the Constitution; and that a Concern for my Honour obliged you to inform me, that all Hearings and Trials before the Council, where they assume a Voice in the judicial Determination, is an high Infringement of the Rights of the People, a Violation of the Charter of the Province, and an Innovation in the Constitution.* I am much obliged to you, Gentlemen, for the Concern you express for my Honour; but I cannot conceive what could give Rise to your Apprehensions. A Concern for my own Honour, and that of the Council, lays me under the Necessity of telling you, that your Fears had no just Foundation; that in no one Instance, since my Accession to this Government, I have ever by myself, or in Conjunction with my Council, sat as Court of Judicature, or given any judicial Determination.

'On considering the Matters complained of in the late Assembly's Address against Mr. *Moore*, I could not be so absurd as to suppose that I had a judicial Power to arraign, try, condemn and punish him, for the Offences therein charged upon him. Indeed the only particular Charge alleged against him was that of Extortion, an Offence very criminal in its Nature, and for which (if guilty) he ought to be severely punished; but I well knew that a positive Act of Assembly of this Province annexed a Penalty to that Offence, and directed the Mode of Trial therein, and that without assuming a Power of dispensing with Law, I could not sit in a judicial Capacity on his Trial: However, as the Office, in which it is said he had misbehaved himself, was held under this Government, I thought it a Duty I owed to Justice, and to the Public, to satisfy myself of his Guilt or Innocence, that if he could not clearly acquit himself from the Charges, I might, by depriving him of his Commission, at least put it out of his Power to commit the like Offences for the future. To this End only I appointed *Monday* last for the Hearing, and desired the Assistance of my Council. If in this I have violated the Charter, and been guilty of an Innovation in the Constitution, and erected a new Court of Justice, I leave you and the World to judge.

'I have very carefully considered, as well as the Shortness of the Time would admit, that Part of your Message, wherein you assert, *that the Power of impeaching is in-*

'*contestably*

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'*conteſtably in the Aſſembly, by the Charter of Privileges, and an eſtabliſhed Law of this Province, and the Power of determining ſuch Impeachments in the Governor alone*, and do aſſure you, that if I could be as fully convinced as you ſeem to be, that I am legally veſted with ſo ſupreme a Power, I would not heſitate one Moment to take upon me the Exerciſe of it. Give me Leave to obſerve to you, Gentlemen, that in the Eſtabliſhment of ſo tranſcendent a Power, in the ſingle Perſon of a Governor of this Province, ſo widely differing in its preſent Frame and Conſtitution from that of our Mother Country, eſpecially in the Branches of the Legiſlative Body, the Lives, Liberties and Properties of every Freeman in it, are deeply intereſted. I agree with you, that Impeachments are warranted by the Uſage of Parliament, and Cuſtoms of our Mother Country; but you will pleaſe further to conſider, that the Parliament of *England* conſiſts of three different Bodies and Eſtates, namely, the King, Lords and Commons, each of which have, inherent in them, diſtinct Prerogatives, Privileges, Powers and Juriſdictions, which I conceive they do not derive under any poſitive Laws made for that Purpoſe; but ſuch their Rights are originally founded in the Nature of their Inſtitution, and the Principles of an *Engliſh* Government. The Commons have an undoubted Right to impeach Criminals for ſuch high Crimes and Miſdemeanors as they cannot be called to an Account for in the ordinary and eſtabliſhed Courts of Juſtice; and it is as undoubtedly the Right of the Houſe of Lords only, to hear, try and paſs Sentence of Death, or otherwiſe, as they ſee Occaſion, againſt ſuch Offenders. The Legiſlature here conſiſts of two Parts only, the King's Repreſentative and the Repreſentatives of the People, without any middle State, reſembling the Houſe of Lords, between them; and neither of the Branches of the Legiſlature of this Province have any other Powers or Juriſdictions but thoſe which are expreſsly delegated and granted them. Admitting therefore, for Argument Sake, the Words of the Charter and Law of the Province, you refer to, in their full Latitude and Extent, which are, *that the Aſſembly ſhall have Power to chuſe a Speaker, and other their Officers; and ſhall be Judges of the Qualifications and Elections of their own Members, ſit upon their own Adjournments, appoint Committees, prepare Bills, in order to paſs into Laws, impeach Criminals, and redreſs Grievances; and ſhall have all other Powers and Privileges of an Aſſembly, according to the Rights of the freeborn Subjects of* England, *and as is uſual in any of the King's Plantations in* America; yet it does not follow, that the Governor of the Province has the Power of hearing, trying and paſſing Sentence on ſuch Impeachments. No ſuch Juriſdiction is given him by the Words of the Charter, or elſewhere, that I can find, on the ſtricteſt Scrutiny. Nor does it ſeem to me for the Security of the Lives and Liberties of the good People of this Province, that their Governor alone, or any one Man living, ſhould be inveſted with ſo high a Truſt. Power has in it great Allurements, and, when offered, is ſeldom refuſed; but I have the Pleaſure to find, that a preceding Governor of this Province had Virtue enough to decline acting as a Judge in a Caſe of Impeachment under the preſent Charter.

'Be pleaſed to remember, Gentlemen, that the Freedom and Happineſs of an *Engliſhman* conſiſts, in a great Meaſure, in the moſt ineſtimable Privilege of being tried by his Equals, in every Caſe that affects his Life, Liberty, Character or Fortune, and that to deprive him of that Right againſt Law, or without clear Law, is the higheſt Injury that can poſſibly be done him; and that whoever in ſuch a Caſe, under an *Engliſh* Conſtitution, takes away the Life of a Subject, is anſwerable for his Blood, and guilty of Murder. Theſe Conſiderations, among others, have ſuch Weight with me, that I dare not accept of the Power you offer me as the ſole Judge in Impeachments, till it is demonſtrated to me, that the Law has inveſted me with it; when that is done, I will chearfully comply with what my Duty requires of me; but till then, you will excuſe me, if I decline any ſuch Juriſdiction, leſt I may juſtly ſubject myſelf to the Charge of eſtabliſhing a new Judicature, uſurping an illegal Power, infringing the Liberties of the People, and, in ſhort, of ſubverting the Conſtitution.

'Permit me now to remind you, Gentlemen, that the Defence and Protection of this Province, greatly depends on your attending, without Loſs of Time, to the ſeveral weighty Matters recommended to you in my Meſſages of the Seventeenth of *October*, and Third of this Inſtant; and therefore I again moſt earneſtly entreat you, that every Conſideration of leſs Moment, and public Concern, may in your Deliberations give Place to them, and that you will defer all other Matters to more Leiſure, and convenient Seaſon.

January 13, 1758. *WILLIAM DENNY.*"

Adjournment

Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

January 14. The Houſe went upon the Conſideration of the Governor's Meſſage, ſent down by the Secretary laſt Night, and the ſame being read, and debated,

Ordered, That Mr. *Fox*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Smith*, Mr. *Strickland*, Mr. *Gibbons*, Mr. *Aſhbridge*, Mr. *James Wright*, Mr. *Carpenter*, Mr. *John*

Mr. *John Wright*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to prepare and bring in an Answer to the Governor's Message. 1758.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon. *January* 14. Adjournment

The House met, pursuant to their Adjournment. *January* 16. *Post Meridiem*

The Committee appointed to prepare an Answer to the Governor's Message, reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read, and considered by Paragraphs, after some Amendments therein, was agreed to, and ordered to be transcribed.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

It appearing, from the Sheriff's Return for the County of *Bucks*, that *Jonathan Ingham*, Esq; was duly elected on the Thirteenth of this Instant, to serve in Assembly for the remaining Part of this Year, in the Room and Stead of *John Abraham Denormandie*, Esq; lately deceased, the said *Ingham* took and subscribed the Qualification appointed by Law to be taken by the Members of Assembly, and then took his Seat in the House accordingly. *January* 17.

The Answer of the House to the Governor's Message being transcribed, was read, signed by Mr. Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

A Message to the Governor from the Assembly.

WE cannot help expressing our Surprise, that you should be at a Loss to "conceive "what could give Rise to our Apprehensions, that you had attempted to establish "a new Court of Judicature, unknown to the Constitution." For the Cause we think we could safely appeal to your Honour's Heart, but we know we can to your Expressions. In your Message of the Ninth Instant, you expressly inform us, "that common "Justice required that no Man should be condemned unheard in any Matter that af-"fected his Life, Fortune or Character, and therefore declared your Design of giving "*William Moore* an Opportunity of making his Defence." That "from the Moment "you received the Address of the late Assembly for his Removal, you were determined "on a full and close Enquiry into the Charges against him, to make a public Example "of him as far as your Power extended." And that "to that End you had appointed "the same Day for hearing all the Proofs in the Case, after due Notice given to the "Parties and their Witnesses," and "accordingly attended with your Council in the "Council Chamber." Certainly, we should be incredulous indeed, and very defective in our "Apprehensions," did not these positive Declarations prevail on us to believe you did attempt to set up a new Judicature; and had not our Serjeant at Arms, for a very high Misdemeanor, arrested the Person intended to be tried, that Attempt had been fully executed. If the issuing Process to convene the Parties before your Honour, and your Council, the giving of Orders for the Summoning of Witnesses by the Sheriff and his Deputies, in order to "hear all the Proofs in the Case," and thereupon to acquit or condemn the Person charged, and a Meeting at the Council Chamber for that Purpose, are not evident Proofs of such Attempt, we leave the Impartial to determine.

These are what your Honour calls "proper Steps," to enquire into the Truth of the many Petitions against "*William Moore*;" though you are pleased to declare, "that "you could not be so absurd as to suppose you had a judicial Power to Arraign, Try, "Condemn and Punish." If you did not intend to arraign, why was the Party charged to come before your Honour and Council? If not to try or judicially determine, where was the Use of Witnesses? If not to condemn or acquit, what could you mean by the Intimation, "that no Man should be condemned unheard?" If not to punish, how could you make a "public Example of him?" Or if no judicial Determination was to be had thereon, what could be the Design of "hearing the Proofs," and "giving the "Party an Opportunity of making his Defence?"

As to the Propriety of these "Steps," we beg Leave to remark, that they are not supported by our Charters, or the Laws of the Constitution, nor by any Precedent in our Mother Country; and have a Tendency to institute an Authority, never attempted by our gracious Sovereign, or any of his Councils.——"Steps," that may be of dangerous Consequence to the Lives, Liberties and Properties of the People; and should your Honour and Council pursue them, we know not where they may end: For if you and your Council may, without the Shadow of Law, institute a "full and close Enquiry," at which you are to hear all the Proofs, and examine the Witnesses upon Oath, "give "the Party charged an Opportunity of making his Defence," and of being "acquit-"ted" or "condemned," in this Case, you may with the same Kind of Reason and Degree of Law, do it in every other; and at last determine not only Matters which affect the Properties, but the Liberties and Lives of the Subject, and that without the Security which ever must attend an antecedent Trial before, and Impeachment by, the Delegates of the People. Wherever a Person in a judicial Capacity breaks over the Verge and Confines of Law, he may rove in the Field of Oppression, and never stop, his Power becomes transcendent and unconfined indeed. Your Honour will therefore

1758. *January* 17. excuſe us for thinking, that in the Eſtabliſhment of a Power ſo unlimited, the Lives, Liberties and Properties of the People are very intimately concerned, and may be more eſſentially affected than where they cannot be tried but by the Impeachment of their Repreſentatives.

We have again conſidered, and ſtill perſiſt in, our Requeſt, that you would either remove *William Moore* from his public Offices, or permit us to impeach him of the many heinous Miſdemeanors charged againſt him, ſome of which are not cognizable in the ordinary Courts of Juſtice. We have no Doubt reſpecting our Right to impeach; nor are we obliged to your Honour for admitting it, "for Argument Sake" only. The Charter of Privileges, and a Law of the Province, are declarative of it, in too explicit Terms, to admit of the leaſt Doubt with the meaneſt and moſt prejudiced Capacity; and we ſtill are of Opinion, that your Honour ought to determine on ſuch Impeachment. By the Royal Grant the Governor and Aſſembly here are conſtituted the two Branches of the legiſlative Authority; the one holding his Power under the Crown, the other deriving their Authority from the People, and a Negative on our Laws is reſerved in the Crown; each of which, we agree, "have inherent in them diſtinct Prerogatives, Privileges, "Powers, and Juriſdictions, founded in the Nature of their Inſtitution, and the Principles "of an *Engliſh* Government;" and that to the Powers of each are annexed certain Requiſites, not expreſsly granted by the Royal Charter, which are to be exerted occaſionally for the neceſſary Support and Exerciſe of their reſpective Juriſdictions, for the Peace and Safety of the Province. The Governor here may be deemed to ſupply a middle State, and from the Nature of his Inſtitution muſt be inveſted with theſe Powers and Requiſites, and we apprehend ought, and was intended, to ſupply the Place of an Houſe of Lords in an inferior Degree, with reſpect to hearing and determining on Impeachments. This cannot be denied, conſiſtent with the Freedom and Principles of an *Engliſh* Government, where the Right of the Commons to redreſs Grievances is one of the moſt eſſential Checks in the Conſtitution. Without this Power in the Governor, there muſt be a manifeſt Failure of Juſtice. The Proprietary Officers, and others, may be guilty of the moſt atrocious Offences, not cognizable in the ordinary Courts of Juſtice, and the Government will be deſtitute of the Means of puniſhing them; which would be ſuch a Defect in our Conſtitution, that common Senſe forbids the Suppoſition. Of this Opinion was a former Aſſembly of this Province on the like Occaſion; where they aſſert, that "the "Power of impeaching Criminals is incident to the legiſlative Authority, for the com-"mon Safety, and that the Ends of Government cannot be anſwered without it." And in Purſuance of this Opinion, they *Reſolved, N. C. D.*

Firſt, "That the preſent Conſtitution of this Government, which veſts the legiſlative "Authority in the Governor and Repreſentatives of the People of this Province, does "well warrant us to impeach, and the Governor to judge of ſuch Impeachments."

"*Secondly*, That the Council having, by our Conſtitution, no Share in the legiſlative "Authority, ought not to ſit with the Governor judicially upon ſuch Impeachments."

But your Honour is pleaſed to ſay, that "no ſuch Juriſdiction is given you by the "Charter, or elſewhere, that you can find." —— We agree that it is not "expreſsly," but contend, that it is implicitly granted to you, as the middle State of our Legiſlature, and "founded in the very Nature of your Inſtitution." If you have no other Powers or Juriſdiction "but thoſe which are expreſsly delegated and granted," by Virtue of what expreſs Authority or Delegation has your Honour, and your Predeceſſors, aſſumed to yourſelves the Right and Power of altering and amending Bills paſſed by the Aſſembly, and of putting an abſolute Negative on them, with other Powers and Rights, belonging to the Houſe of Lords alone, and no more expreſsly granted than the Power of judging on Impeachments? It cannot be by Virtue of your Repreſentation of the Crown; becauſe his Majeſty never exerciſed ſuch Powers. And therefore we confeſs we cannot underſtand why you ſhould be ſo fond of aſſuming the one, and fearful of the other. We hope it cannot proceed from an Inclination to ſcreen wicked Miniſters from Juſtice, and to render ineffectual an eſſential and invaluable Power of the Conſtitution.

We beg Leave further to remark, that the Governor's aſſuming a Power to determine on the Impeachments of the Aſſembly, cannot be attended with the leaſt Inſecurity "to "the Lives and Liberties of the People." But, on the contrary, the Invaders of their Liberties, and their Oppreſſors, by this Means will be brought to Juſtice, who otherwiſe would oppreſs on with Impunity, and the diſtreſſed Subject be without Redreſs. Your Honour will remember, that antecedent to any Impeachment before you, the grand Inqueſt of the Province, the Repreſentatives of the People, his Peers and "Equals," muſt be made ſenſible of his Guilt. A Sheriff may be corrupted, a Jury packed, a Court who hold their Commiſſions during Pleaſure may be influenced; but it is unnatural to preſume that the Repreſentative Body of the People ſhould be partial, corrupted, or do Injuſtice. Beſides, your Honour has the ſame Power, which you are ſo fearful of aſſuming, whenever a Bill of Attainder or Diſability is preſented for your Approbation; and in that Caſe the "Lives, Liberties and Properties" of the People are as much in

your

your Hands as in the Case of Impeachments; with this Difference only, that in the first you may determine on the Report of the Assembly only, but in the latter there must be a judicial and solemn Hearing. 1758. January 17.

We are sorry we cannot see the "Virtue" of refusing to determine on the Impeachment of the Assembly, any more than that of instituting a new Court of Judicature, without their Assent. The Instance you give us of a preceding Governor's "Virtue in "declining to act as a Judge in a Case of Impeachment," must certainly arise from your not being acquainted with his Character.——He was a Gentleman remarkable for being destitute of every Virtue, either moral, political or religious. The Government was in a continual Ferment during his whole Administration: The Rights of the People in perpetual Jeopardy by his arbitrary and unjust Invasions. He was charged by the Assembly with being guilty of "frequent and notorious Excesses and Debaucheries, not fit to be re-"hearsed," and that his Behaviour was "offensive to God Almighty, dishonourable to the "Queen, and encouraging all Manner of Wickedness;" and, upon their Complaint, removed from his Government. Whence we are induced to believe that this Gentleman's declining to determine on Impeachments, did not proceed from any Disrelish he had to Power, or from his Virtues, either public or private, but from a determined Resolution to protect a Favourite.

Had your Honour, upon the Address of the late Assembly, founded upon the most impartial Enquiry, paid that Regard to it, and the Examinations of many disinterested Witnesses laid before you, which we humbly conceive you ought to have done, and removed *William Moore*, this Dispute about your Power to determine on Impeachments had not happened: But, may it please the Governor, when we perceive you are deaf to the Address of that Assembly, regardless of the Affidavits laid before you, instituting a new Court of Judicature for his Trial without the Assent of the Representatives of the People, and in the mean Time permitting him to exercise all the Powers of his Offices, and the Means of his former Oppression, to the great Terror and Anxiety of the People, who continue to exhibit to this House fresh Complaints against him, we cannot be silent. We beg Leave to say, it is usual with the Crown to remove wicked Ministers on the Address of the Commons, sometimes when that Address is founded on Rumour only, and often when on an Examination before the House.——And a former worthy Governor of this Province, when he was about to pass a Bill of Disability, required no other Satisfaction of the Guilt of the Person, than what he collected from a Conference with a Committee of Assembly. It is well known, that the Complaints against this Gentleman are not of a late Date only, your Honour is the third Governor to whom the People have applied for Redress against his Oppression; but as yet remain without Relief.

We therefore entreat your Honour to consider, that the principal Powers of our Assemblies are, those of making Laws, granting Aids to the Crown, and redressing the Grievances and Oppressions of the People. The first, you well know, is highly invaded, and greatly diminished, by arbitrary Proprietary Instructions, now in your Possession, which you have declared you are bound to obey. The second has been greatly violated by the frequent and constant Amendments in our Money Bills, directing the Assemblies as to the Manner, Measure and Time of granting Supplies; insomuch, that though they have not admitted such Amendments, yet they have often been necessitated, for the Preservation of the Country, to frame new Bills agreeable to them. And should your Honour persist in refusing to remove *William Moore*, on the Address of the late Assembly, and the earnest Solicitations of this, and will not exercise your Power of determining on the Articles of Impeachment, we are ready to exhibit against him, the third and last, that of redressing Grievances, will in a great Measure be rendered ineffectual: A Failure of Justice must ensue in the Government: Wicked Ministers and Magistrates may oppress the Subject, and distress the Poor, with Impunity: That important Check in the Constitution, on the Actions of wicked Officers, who hold their Commissions during Pleasure, will be wanting: The three only essential and important Branches of the Assembly's Authority will be manifestly violated: The whole Powers of the Constitution be vested in the Hands of the Governor, and our excellent mixt Frame of Government totally dissolved.

Under these Circumstances we entreat your Honour would consider with what Spirit or Pleasure can the Assemblies of this Province give, or the People pay, their Aids to the Crown. We are a faithful and loyal People, solicitous of assisting in the general Defence of *America*, as well as in that of our own particular Province; we are willing and ready to grant Supplies, if our Governors would leave us the Possession of any Thing worth defending. Redress our Grievances, relieve our Fellow-Subjects from Oppression and Slavery, restore the Constitution, and every Thing your Honour can reasonably ask, will be chearfully granted.

Signed by Order of the House,

January 17, 1758. THOMAS LEECH, *Speaker.*"

Ordered,

1758. *Ordered*, That Mr. *Pearne* and Mr. *Hunt* wait upon the Governor, and deliver the foregoing Anſwer to his Meſſage of the Thirteenth Inſtant.

January 17. The Members return and report, they had delivered the ſame according to Order; and that his Honour was pleaſed to commit to their Hands, in Writing, a Correction on his laſt Meſſage to the Houſe, which was read, and is as follows, *viz.* "After the Words "[*and the Principles of an* Engliſh *Government.*] the Word [*Hence*] ſhould have begun "the next Sentence, but in tranſcribing is omitted. I deſire it may be inſerted in my Meſſage."

The Houſe taking into Conſideration the Mode of conducting the Trial of *William Smith*, after ſome Debate thereon, the following Queſtions were put, *viz.*

Firſt, Whether the Counſel for ſaid *Smith* ſhall be allowed to diſpute the Power and Authority of this Houſe to enquire into, and puniſh Perſons guilty of, Libels againſt the Government? *Reſolved in the Negative.*

Secondly, Whether the ſaid Counſel ſhall be allowed to ſhew the Addreſs of *William Moore* to the Governor is not a Libel, in Contradiction to the Judgment and Reſolves of this Houſe? *Reſolved in the Negative.*

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem Mr. *Smith*, with his Counſel, being called in, was acquainted, that he was now brought before the Houſe to anſwer to the Charge exhibited againſt him, of being a Promoter and Abettor of the Writing and Publiſhing a Libel, entituled, *The humble Addreſs of* William Moore, *&c.* which was thereupon read.

Mr. *Roſs*, Counſel for the ſaid *Smith*, then begged Leave to be allowed, in the Courſe of his Defence for the Priſoner, to enquire chiefly into the three following Points, *viz. Firſt*, What Authority this Houſe has to take up Perſons for writing and publiſhing Libels againſt a former Aſſembly? *Secondly*, How far the Paper Mr. *Smith* is charged with being an Abettor of, is a Libel?—And, *Thirdly*, Whether the ſaid *Smith* can be proved to be an Abettor and Promoter of the ſame?——As to the two firſt Heads, Mr. Speaker acquainted the Counſel, they were not at Liberty to enquire into, or controvert, them, becauſe inconſiſtent with, and contrary to, certain Reſolves, which the Houſe had previouſly entered into.

The Houſe then proceeded to the Examination of Witneſſes before the ſaid *Smith* and his Counſel; and, having ſpent much Time therein, adjourned to Ten o'Clock To-mor-

Adjournment row Morning.

January 18. Mr. *Bradford*, Printer, attending, agreeable to Order, was called in, and being aſked, whether he had found the Manuſcript delivered to him by *William Moore* for printing his Addreſs from, and declared to be loſt, in the ſaid *Bradford's* Examination before the Houſe, replied, he had made a careful Search for it, but could not yet find it, and was apprehenſive he might have ſent it to Doctor *Phineas Bond* with the Proof Sheet, but upon Enquiry of the ſaid *Bond*, he was informed he had not got it. He further acquainted the Houſe, that the ſaid Manuſcript ſeemed to him to be wrote in a Clerk's Hand, large, fair and upright, without any Interlineations in it; whereupon being directed to make further Search for the ſaid Manuſcript, and when found to produce the ſame forthwith to the Houſe, he promiſed ſo to do, and was ordered to withdraw.

Mr. *Smith* and his Counſel being then admitted, the Houſe proceeded to the Examination of Mr. *Levers*, which the Clerk having taken down in Writing, they adjourned

Adjournment to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe went next upon the Examination of Mr. *Hanſhew*, and then called in Mr. *Armbruſter*, a *German* Printer, who ſeeming to prevaricate, and decline to anſwer a certain Queſtion repeatedly put to him,

Ordered, That the ſaid *Armbruſter* be committed to the Cuſtody of the Serjeant at Arms for a Contempt to this Houſe, in prevaricating in his Teſtimony, and refuſing to anſwer in a Caſe wherein he was produced as a Witneſs; and that the ſaid Serjeant do not permit any Perſon whatſoever, either directly or indirectly, to converſe with, or ſpeak to the ſaid *Armbruſter*, till further Orders from this Houſe.

Meſſieurs *Hall* and *Bradford*, the laſt Evidences brought in, were called for by the Priſoner, firſt examined by the Houſe, and then croſs-examined by his Counſel: After which the ſaid Counſel deſired the Favour of the Houſe, as he had not taken down the ſeveral Examinations of the Witneſſes at Length, that they would allow him Copies thereof, (upon paying the Expence of tranſcribing) as the ſame had been taken by their Clerk, and grant him Time to conſider and ſum up the Evidence.

The Priſoner, with his Counſel, were then directed to withdraw, and the Houſe taking the Requeſt of the latter into Conſideration,

Ordered, That the Clerk do make out Copies of the ſaid Examinations, to be delivered to the Counſel for the Purpoſe requeſted.

Adjournment Then the Houſe adjourned to Three o'Clock To-morrow Afternoon.

January 19. The Clerk having made out Copies of the ſeveral Examinations taken before the Houſe,

Poſt Meridiem and the ſame being compared at the Table,

Ordered,

Ordered, That the Clerk deliver the said Copies to the Counsel for the Prisoner. 1758.

Mr. *Armbruster*, committed Yesterday to the Custody of the Serjeant at Arms for a Contempt, was again called to the Bar of the House, and having asked Pardon for his Misbehaviour, and given direct and categorical Answers to the Questions before put to him, *January* 19.

Ordered, That he be discharged from the Custody of the Serjeant at Arms, paying the Fees arising on his Confinement.

The Counsel for Mr. *Smith* having been called in, to be present at the Examination of this last Witness, and to cross-examine him, after the said Witness was dismissed, begged to be allowed a little Time to consider and sum up the Evidence before the House came to a Determination; wherefore,

Resolved, That the Counsel be allowed for the said Purpose till *Saturday* next, at Ten o'Clock in the Morning.

Then the House adjourned to Four o'Clock To-morrow Afternoon. Adjournment

The House taking into Consideration the Expences likely to arise on the Confinement and Trial of *William Smith*, and the Fees to be allowed to the Officers of this House, for their extraordinary Trouble therein, *January* 20. *Post Meridiem*

Ordered, That Mr. *Fox*, Mr. *Strickland*, Mr. *Carpenter*, Mr. *John Wright*, Mr. *Allen*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to consider and settle the said Fees, and report the same to the House.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

The Committee appointed to regulate the Fees of the Officers of the House, reported, they had made some Progress therein, and desired further Time for consulting Precedents, and completing the same. *January* 21.

Agreeable to the Appointment of this House, *William Smith*, attended by his Counsel, was admitted to the Bar, and the said Counsel having summed up the Evidence, and offered such Arguments thereon as they judged necessary, they were ordered to withdraw.

And three particular Members of the House apprehending that the Counsel for Mr. *Smith*, in the Course of their Animadversions on the Testimony of Mr. *Hall*, had endeavoured to criminate them, by insinuating they had promoted and advised the Publication of the libellous Paper, entituled, *The Address of* William Moore *to the Governor*, and that in Consequence of such Publication in the *Pennsylvania Gazette*, it had been taken into the *German* News-paper, the said Members desired Leave to withdraw from their Seats, and submit their Conduct on that Occasion to the Judgment and Determination of the House, praying, that if they should be found culpable, they might receive the Censure of the House accordingly; but if not, that the House would acquit them of the Charge.——They were permitted to withdraw accordingly.——And the House taking into Consideration the Charge against the said three Members, after some Debate thereon, the following Question was put, *viz.*——Whether the three Members withdrawn, are deserving of any Censure from this House on Account of what passed between them and *David Hall*, Printer, respecting the Publication of *William Moore's* Address to Governor *Denny?* —— And the same was resolved in the Negative, *N. C. D.* (one Voice only excepted.) The said Members were then called in, and, by Order of the House, acquainted from the Chair, that the House highly commended them for the prudent Caution they had given Mr. *Hall* concerning the Publication of the said Address, and for the due Care they had taken at the same Time to guard against any Encroachment on so useful a Privilege as the Liberty of the Press.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *January* 23.

A Petition, from sundry Inhabitants of the City of *Philadelphia* was presented to the House and read, praying that *William Smith* may be admitted to Bail, and offering to enter into proper Recognizance in whatever Sum the House in their Wisdom and Clemency shall think it reasonable to demand. *Post Meridiem*

Referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House taking into Consideration the Amount of the Evidence exhibited in the Course of the late Trial of *William Smith*, *January* 24.

Resolved, N. C. D. That no Part of *Robert Levers's* Testimony, respecting the Similitude of Hands, is Evidence, or ought to have any Weight in the Determination of the Guilt or Innocence of *William Smith*.

After full Consideration of the whole Evidence, and some Debate thereon,

Resolved, by a great Majority, That the said *William Smith* is guilty of promoting and publishing the libellous Paper, entituled, *The Address of* William Moore *to Governor* Denny.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Upon Motion by Mr. *Roberdeau*, That he be excused from his Attendance on the House till To-morrow Morning, *January* 25.

Ordered, That the said Member be excused accordingly.

1758. *January* 25. The Houſe then proceeded to the Conſideration of the Caſe of *William Smith*; and, after ſome Time ſpent therein, the following Queſtion was put, *viz.* Whether the ſaid *Smith*, for promoting and publiſhing an infamous Libel, entituled, *The humble Addreſs of* William Moore, *&c.* ſhall be committed to the Goal of this County, there to remain till he ſhall give Satisfaction to this Houſe for the ſaid Offence?

Reſolved in the Affirmative.

The Governor, by the Secretary, ſent down a written Meſſage to the Houſe, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I HAVE taken into Conſideration your laſt Meſſage, not leſs remarkable for the great Freedom with which you are pleaſed to treat my Character, than the Strangeneſs of the Doctrines contained in it, and the weak Arguments brought to ſupport them. In my Meſſage of the Thirteenth Inſtant, I flattered myſelf, I had demonſtrated to you and all the World, that your Apprehenſions of my having a Deſign to eſtabliſh a new Court of Judicature (in the Steps taken by me on the late Aſſembly's Addreſs to remove *William Moore* from his public Offices) were groundleſs and unjuſt, and I ſolemnly diſclaimed any ſuch Intention. But, to my great Aſtoniſhment, I find a conſiderable Part of your Meſſage is taken up with trite Queſtions and Reaſonings, tending to ſhew that I actually had ſuch a Deſign; and you do not ſcruple to aſſert, *that had not your Serjeant at Arms, for a very high Miſdemeanor, arreſted the Perſon intended to be tried, that Attempt had been fully executed.* In this you take upon you to charge me with a direct Falſhood.

'I ſhould be unworthy indeed of the Commiſſion I have the Honour to bear under his Majeſty, tamely to ſuffer ſuch an Indignity, without thus publicly expreſſing my Deteſtation of the Charge, and the juſt Reſentment with which an honeſt Heart muſt neceſſarily be inſpired againſt the Authors of it. Had any one offered a like Affront to you, Gentlemen, we, no Doubt, ſhould have heard enough of Breach of Privileges; but, for ought I know, you may claim a Right of vilifying and abuſing your Governors, as one among the many boaſted *Powers and Privileges of the Conſtitution* you have lately diſcovered.

'The laſt Aſſembly, in their Addreſs againſt *William Moore*, only deſired that I would remove him from his Offices, on a Suppoſition, I preſume, that he was guilty of the Crimes laid to his Charge. It is not eaſy to conceive you could think, Gentlemen, that I would take this Guilt upon Hear-ſay, nor yet upon a Number of *ex Parte* Depoſitions, taken in the Abſence of Mr. *Moore*, who I know was not heard in his Defence before the Houſe, nor any of his Witneſſes examined on his Behalf. It was my Duty to give him and his Accuſers a full Hearing Face to Face. I appointed a Day for that Purpoſe, and, from the whole Tenor of my Conduct in that Affair, I am perſuaded that no impartial Perſon can be induced to think I had any Thing in View but a full Examination of Witneſſes, to ſatisfy my own Conſcience whether he was a fit Miniſter of Juſtice, and worthy any longer to enjoy the Commiſſion he bore under this Government; without taking ſuch Steps, I might have been deemed *arbitrary* indeed. This is a Method that ſince my Arrival in this Government I have taken, where Complaints have been made to me againſt Juſtices of Peace, one of whom I have actually removed in Conſequence of ſuch Enquiry, and it is further ſupported by the Practice of preceding Governors, to the great Eaſe and Satisfaction of the People, who have repeatedly expreſſed their Acknowledgments for the Trouble their Governors have taken, and the Juſtice done the Public in ſuch Caſes. Reſting therefore under this Perſuaſion, and a Conſciouſneſs of the Rectitude and Sincerity of my own Intentions, I ſhall take no further Notice of the unprovoked Abuſe, and ill Treatment of me, in the firſt Part of your long Meſſage.

'It is very diſagreeable to me, Gentlemen, that I am laid under the Neceſſity of ſaying ſo much; I can truly declare, that I met you in Aſſembly determined to avoid, if poſſible, any Differences with you; and, notwithſtanding the Ignominy with which you have attempted to load me, I ſtill think myſelf indiſpenſably obliged ſo far to ſuppreſs my juſt Indignation, as that it ſhall have no Influence on my public Conduct with you, or interfere with that Duty I owe to his Majeſty, and the good People he has been pleaſed to commit to my Charge.

'I have very cloſely attended to that Part of your Meſſage, wherein you endeavour to manifeſt my Right, under the Charter and Laws of the Province, to ſit as a Court of Judicature on Impeachments, and am ſo far from changing my firſt Opinion, that I am ſtill more confirmed in my Judgment, that ſuch a Power would be uſurped by me, and the Act arbitrary in the higheſt Degree. You agree with me, that in the Mother Country the Houſe of Lords, which is the middle State between the King and the Commons, hath the ſole inherent Power of trying Impeachments, and that the Legiſlature of this Province conſiſts of *two Branches:* You then add, that the Governor here may

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'be deemed to ſupply the Place of a Houſe of Lords, "*in an inferior Degree*", and contend, *that though the Power of trying Impeachments is not expreſsly, yet it is implicitly, granted to the Governor of this Province, as a middle State of your Legiſlature, and founded in the Nature of your Inſtitution.*

'I muſt confeſs, Gentlemen, that your Method of reaſoning on this Occaſion is very dark and myſterious; a *middle* State in a Legiſlature conſiſting of *Two* Eſtates only, or an *intermediate* Term between *Two* that admit of no *Third*, is to me incomprehenſible. Arguments founded on no better Proofs than what you may deem might be the Intent of the Charter; forced Conſtructions, and ſtrained Implications of Powers meant to be granted, will weigh but little with me in a Caſe ſo important and intereſting as this is to the Lives and Rights of his Majeſty's Subjects. Nay, if the Proprietary Charter was ever ſo expreſs on this Head, yet it might perhaps with great Reaſon be queſtioned, whether, under the Royal Grant, the Proprietary could ſubject *Engliſhmen* to this Mode of Trial, before a ſingle Perſon, acting at once in the ſeveral Characters of a Judge and Jury, ſo very different from any known to the *Britiſh* Conſtitution. At preſent, however, there is no Occaſion to go into the Diſcuſſion of this Point, as you acknowledge, that neither by Charter or Law, the Governor has ſuch a Power expreſsly delegated to him.

'But you are pleaſed to ſay, that you propoſe to veſt your Governor with the Power of a Houſe of Lords only *in an inferior Degree*. This is a Mode of Expreſſion as unintelligible to me as ſome of your former ones. The *Power*, Gentlemen, neceſſary to any Judicature, or public Body as ſuch, is indiviſible in its Nature; it cannot be parcelled out into Parts; or if it could, I can hardly look upon you as the Diſpenſers of it. If a Governor could once perſuade himſelf, that it is neceſſary for the Safety and Peace of this Province, that he ſhould exerciſe the Power of a Houſe of Lords in one Caſe, he may in another; and if you conſent to his exerciſing one Degree of that Power, he may think himſelf intitled to claim and exerciſe the Whole; and by this Means may bring all Cauſes, both Civil and Criminal, before him in the laſt Inſtance, as is the Caſe in the Houſe of Lords, which is the laſt and higheſt Court of Judicature in the Kingdom. *Power*, Gentlemen, once granted, is hardly ever to be regained; and ſhould I depart ſo far from my Duty as to accept of the extraordinary Power you now preſs upon me, or could I think any Governor or ſingle Man would be permitted by the *Britiſh* Legiſlature to enjoy both the Powers of the Crown, and of the Houſe of Lords, in theſe Colonies, you and your Poſterity might, perhaps, long have Reaſon to repent the Raſhneſs of the Offer. Will it not, Gentlemen, appear very extraordinary in the Eyes of all Men, that you, who have been denying your Governors the conſtitutional and eſſential Power of a Voice in the Appropriation of the Public Money, and the Right of appointing Militia Officers, ſhould now, all at once, deſire to inveſt me with a Power over the Lives, Liberties and Fortunes of your Conſtituents, without the Aid of Juries, or the common Proceedings of Juſtice. Such a Power may be ſafely veſted in ſo numerous and auguſt a Body as the Houſe of Peers, whoſe independent Stations and high Characters ſet them far above Corruption or Party Views: But in the Hands of a ſingle Man, Gentlemen, it might prove of ruinous and dreadful Conſequences.

'That your Conſtitution is defective in many Reſpects, I ſhall not diſpute with you, but undoubtedly this would not be the Way to mend it. For my Part, I have nothing in View but to exerciſe the little Share of Authority it gives me, and to leave its Defects, where it has any, to be amended by the Wiſdom of our Superiors.

'The Inſtance you give of a former Aſſembly's being of Opinion, that they had a Right to impeach, and the Governor to judge of ſuch Impeachments, is no better Proof than your own Opinion. It is a Rule, that long Cuſtom and Uſage are the beſt Expoſitors of every Law, and of the Senſe of thoſe who framed it; and in this Caſe, it is very remarkable, that you do not offer to produce a ſingle Inſtance, ſince the Date of the preſent Charter, where a Governor of this Province has dared to exerciſe the Juriſdiction you offer me, though greatly tending to aggrandize himſelf.

'On the contrary, I mentioned to you a former Governor of this Province, who had *the Virtue to refuſe a like Offer*, and for that Reaſon you fall upon his Memory in the bittereſt Terms of Reproach, declaring him *deſtitute of every Virtue, moral, political or religious*, and alleging in Proof thereof, that he was *charged by the Aſſembly with a Behaviour offenſive to God Almighty*. If the Charges, Gentlemen, which are made by the Aſſemblies of this Province againſt their Governors could be admitted as any Proof of their Guilt, it has been our Misfortune, that this Province has ſcarcely had an honeſt or good Governor in it. Mr. *Evans*, in all his Writings, ſhews himſelf to have been a Gentleman of Learning; and we know that he was ſupported in this Inſtance by the Advice and Aſſiſtance of an able Council, and a Judge, famous for his Integrity, and his Abilities in the Law. His Meſſages prove that he had *political* Virtues; and whatever you may be pleaſed to allege to the contrary, the Refuſal mentioned above will ever

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'be an Inſtance of his *moral* Virtue.——Almoſt every civilized Nation ſuffer their *Dead* 'to reſt in Peace: And ſurely, Gentlemen, it may be enough for you, that you can 'uſe an unbounded Freedom in calumniating your *living* Governors, without raking 'into the Aſhes of thoſe who *are no more*.

'But you are pleaſed to remark further, that a Governor's *aſſuming a Power to determine* 'on the Impeachments of the Aſſembly, cannot be attended with the leaſt Inſecurity to the 'Lives and Liberties of the People, but will, on the contrary, be the beſt Means of bringing 'to Juſtice thoſe who oppreſs the Subject.——*A Sheriff*, ſay you, *may be corrupted, a Jury* 'packed, a Court who hold their Commiſſions during Pleaſure may be influenced, but it is 'unnatural to preſume that the Repreſentative Body of the People ſhould be partial, corrupted, 'or do Injuſtice. Is it poſſible, Gentlemen, that you, who conſider yourſelves as the 'Repreſentatives of Freemen and *Engliſhmen*, can be ſerious in theſe Opinions? Can 'you be really deſirous to deſtroy at once the great Bulwark of *Engliſh* Liberty, and 'throw an Odium upon Trials by Juries, and the Judgment of our Peers, that ineſtimable 'Privilege purchaſed and preſerved by our Fathers at ſo great a Price; and which neither 'ought or can be taken away by implied Conſtructions? If it be unnatural to preſume 'that the Repreſentative Body of the People, who do not act under the Tie of a par- 'ticular Oath, ſhould be *partial, corrupted, or do Injuſtice*, is it not yet more unnatural 'and uncharitable to ſuppoſe that in any Cauſe depending in a Court of Juſtice, a *Sheriff*, 'who, as well as yourſelves, in this Province, is elected by the People, *may be corrupted*, 'a *Jury*, againſt whom the indulgent Law gives the Party charged every juſt Cauſe of 'Challenge, *packed*, and a *Court influenced*; all of whom, it is further to be obſerved, 'diſcharge their ſeveral Duties under a particular and ſolemn Qualification and Oath? '— What Man would not rather truſt his Cauſe to a Number of his Neighbours, and 'Equals, choſen and ſworn for that particular Purpoſe, than to any ſtanding Body what- 'ſoever, whoſe Powers may be ſtretched to any Extent, being *uncontroulable and unde- 'fined* by any expreſs Law?

'Upon the Whole, Gentlemen, give me Leave to tell you, once for all, that I neither 'will conſent to take upon me the Powers you offer, nor yet to remove Mr. *Moore* from 'his Offices, without a full Hearing, in order to ſatisfy myſelf of the Truth of the 'Charges againſt him, agreeable to the Practice of all preceding Governors of this Pro- 'vince on Complaints exhibited againſt Juſtices of the Peace. It will therefore be in 'vain for you to ſpend the public Time in any farther Debates or Overtures on this 'Head. The late Aſſembly were ſo far from thinking ſuch an Enquiry unreaſonable, 'that at my Inſtance, they furniſhed me with Copies of the Petitions and Evidence ex- 'hibited in their Houſe againſt him in his Abſence; and it is entirely owing to your 'ſudden and unexpected Determination of changing the late Aſſembly's Addreſs to re- 'move Mr. *Moore* into Articles of Impeachment, and your Confinement of his Perſon, 'that Mr. *Moore*, if guilty, is thus long continued in his Commiſſion. Had you per- 'mitted the Enquiry I propoſed to go on, it would have been brought to a Concluſion 'before now, the Public would have been fully ſatisfied, and a great deal of Time and 'Expence ſaved to the Province. What may have been your Motives in this Part of 'your Conduct, I will not ſay, but muſt confeſs they appear to me very extraordinary.

'You are quite miſtaken in aſſerting, that *a former worthy Governor of this Province*, 'when he was about to paſs a Bill of Diſability, required no other Satisfaction of the Guilt 'of the Perſon, than what he collected from a Conference with a Committee of Aſſembly. 'The Council Books, which have been inſpected on that Occaſion, plainly ſhew, that 'the Perſon, againſt whom the Bill was preferred, was called before the Governor in 'Council, the Matter fully heard, and the Governor ſatisfied of the Truth of the Facts 'ſet forth in the Bill, previous to his paſſing it.

'A Governor muſt be made a very inſignificant Perſon indeed, if he was obliged to 'yield implicit Obedience to the Addreſs of an Aſſembly, which, as you ſay, *may ſome- 'times be founded on Rumour only*, to remove or continue what Officers they think proper, 'without ſatisfying his own Mind as to the Guilt or Innocence of the Perſons. It is 'remarkable, that you have formerly put it among the Liſt of your Grievances, that 'the Judges and Magiſtrates hold their Offices during the Pleaſure of a Governor; and 'now you deſire that they ſhould hold them during your Pleaſure, and be continued 'or diſcarded agreeable to your Directions; which muſt be the Caſe, if they are to be 'removed on your bare Remonſtrance againſt them. My Motive for refuſing the Power 'of judging on Impeachments, does not ariſe, as you inſinuate, from any Deſire in me 'to ſcreen Mr. *Moore* from Juſtice; he is a Gentleman with whom I have not the leaſt 'Acquaintance, nor is he ſo much as perſonally known to me.

'You conclude, Gentlemen, by calling on me to *redreſs Grievances, to relieve your 'Fellow-Subjects from* Oppreſſion and Slavery, *to reſtore the Conſtitution*, and then you 'promiſe that *every Thing I can reaſonably aſk will chearfully be granted me*. Gentlemen, 'if your Conſtituents feel the Weight of any Grievances, I will chearfully join in doing 'every legal Act in my Station to redreſs them; but beyond the Limits of my juſt

'Power

'Power I never will venture to go. I have neither oppreſſed or enſlaved your Fellow-
'Subjects, or invaded the Conſtitution; when I am convinced of the contrary, I ſhall
'think it my Duty, independent of any other Conſideration, to exert myſelf by all
'Means in my Power, to apply a Remedy adequate to the Evil. 1758. January 25.

'You will ſuffer me, Gentlemen, to call on you in my Turn, if *you are that loyal*
'*and faithful People* you profeſs to be, *ſolicitous of aſſiſting in the general Defence of*
'America, *as well as in that of your own particular Province*, to give ſome immediate
'Proof thereof. Proceed to grant the neceſſary Supplies for the current Year; frame
'and paſs effectual and conſtitutional Bills to eſtabliſh a Militia, and regulate the *Indian*
'Trade; attend to the ſeveral weighty public Matters I have repeatedly recommended
'to you in my former Meſſages, and conſider how unbecoming it is to neglect theſe
'great Services, and employ yourſelves in new Heats and Diſputes, at a Time when
'public Danger ſurrounds us on every Side, and our vigilant Enemies, *who indeed threaten*
'*us with Oppreſſion and Slavery*, are every Moment preparing to renew their Cruelties
'and Barbarities on the Inhabitants of this and the neighbouring Colonies; and unleſs
'Meaſures are ſpeedily taken to defeat their wicked Schemes, may too ſoon accompliſh
'that Ruin, from which nothing but Union, and a vigorous Exertion of our natural
'Powers, can ſave us.

January 24, 1758. *WILLIAM DENNY.*"

Then the Houſe adjourned to Three o'Clock, *P. M.* Adjournment

William Smith, with his Counſel, attending according to Notice, were ordered in, *Poſt Meridiem*
and Mr. Speaker acquainted Mr. *Smith*, that the Houſe having found him guilty of promoting and publiſhing a Libel, entituled, *The Addreſs of* William Moore *to Governor* Denny, had therefore ordered, that he be committed to the common Goal of the County, there to remain till he ſhall give Satisfaction to this Houſe for the ſaid Offence.

The Counſel for Mr. *Smith* then moved, that he might be allowed the Privilege of an Appeal to the King and Council, from the Judgment of the Houſe, which they conceived him entitled to, as well from the Royal Charter, as a Law of the Province; and further begged that the Priſoner might be furniſhed with Tranſcripts of ſuch Minutes and Reſolves of the Houſe, as had been made during his late Trial, or in Conſequence thereof; and then acquainted Mr. Speaker, that Mr. *Smith* was ready to give any Bail or Security the Houſe might demand, during the Proſecution of the ſaid Appeal.

The Houſe, after ſome Time ſpent in conſidering the Words of the Royal Grant, and the Law of the Province, referred to by the Council, were of Opinion, that no Appeals were intended to be directed by either to the King and Council from Judgments of the Houſe of Aſſembly, relating to Breach of Privilege, and Contempt to the Houſe, but only from thoſe of the inferior Courts, relative to Matters of Property; and acquainted the Priſoner, that, upon making the Submiſſion required by the Houſe, he would be under no Neceſſity of giving Bail to prevent a Commitment. —— To which the ſaid Priſoner replied, that as, in the Courſe of his Trial, no Evidence had been produced ſufficient to convict him of the Charge objected to him, and as others, equally culpable, or more ſo (even upon their own Confeſſion) had been diſmiſſed unpuniſhed by the Houſe, he could not but look on himſelf to be ſingled out as the peculiar Object of their Reſentment; that as he was not conſcious of having given any juſt Cauſe of Offence to them, or done any Act by which the Conſtitution had been injured, or the legal Rights of the People violated, he could not in Conſcience make any Acknowledgments, or profeſs Sorrow and Contrition to the Houſe for his Conduct; and, ſtriking his Hand upon his Breaſt, aſſured them, no Puniſhment they could inflict, would be half ſo terrible to him, as the ſuffering his Tongue to give his Heart the Lie.

Upon the Concluſion of which Speech, a loud tumultuous Stamping of Feet, Hiſſing and Clapping of Hands being ſet up by a few of the Priſoner's Friends, Orders were given from the Chair to ſhut the Doors, and ſeize the Perſons concerned in ſo riotous an Inſult on the Houſe. And the ſober reputable Freeholders preſent being then deſired by Mr. Speaker, and the Members, to give what Information they could, reſpecting the Authors and Abettors of the ſaid Inſult, ſeveral of them came to the Bar of the Houſe, and being ſeparately examined, declared they had ſeen, while ſtanding in the Crowd, *John Bell*, *John Wallace*, Merchants of the City, *James Young*, Paymaſter of the *Pennſylvania* Forces, and *Charles Oſborne*, Druggiſt, join in the ſaid Inſult, by clapping their Hands. Three of the ſaid four Gentlemen were then ſeverally brought to the Bar, acknowledged their Miſconduct, pleaded Ignorance of the Cuſtoms of the Place, their being ſurprized into it, and aſked Pardon for what they had done: Whereupon they were diſmiſſed, with Orders to attend the Houſe in the Morning, and not depart till they ſhould obtain Leave for that Purpoſe.

Mr. *Smith*, with his Counſel, and the Crowd, being directed to withdraw, *James*

1758. *January* 25. *Coultas*, Eſq; Sheriff of the County of *Philadelphia*, was ordered to attend the Houſe, and having been called in, Mr. Speaker ſigned and delivered him an Order of the Houſe, to take Mr. *William Smith* into his Cuſtody, and thereupon likewiſe delivered another Order to the Serjeant at Arms, to deliver up the ſaid *Smith* to the Sheriff, and an additional Charge to the Sheriff reſpecting the Writ of *Habeas Corpus*, if the ſame ſhould come to his Hands, as before given him in the Caſe of *William Moore*.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 26. The Committee appointed to regulate the Fees of the ſeveral Officers belonging to the Houſe, reported, they had made an Eſſay for that Purpoſe, and delivered the ſame at the Table, which being read, and conſidered, was agreed to, and is as follows, *viz.*

Report of the Committee for regulating Officers Fees belonging to the Houſe.

WE the Committee appointed to regulate the Fees of the ſeveral Officers belonging to this Houſe, do report as follows, *viz.*

	£		
To the Clerk, for an Order to attend the Houſe,	0	5	0
To Ditto, for a Warrant,	0	6	6
To Ditto, for minuting Evidence, *per* Day, in each Caſe,	0	5	0
To the Serjeant at Arms, for his Capture Fee,	0	15	0
To Ditto, for each Day in his Cuſtody, and for his Attendance,	0	7	6
To Ditto, for bringing to the Bar of the Houſe,	0	4	0
To Ditto, for each Mile out, and Home,	0	0	4
To the Door-keeper, *per Diem*,	0	3	0
To Witneſſes, for their Attendance, *per Diem*,	0	4	0
To the Clerk, for each Petition read in the Houſe,	0	2	6
To the Door-keeper, for Ditto,	0	1	0

The Houſe being informed that a Number of the Freeholders was attending without, in Purſuance of the Requeſt of the Houſe laſt Night, to give what Information they could, reſpecting the Perſons concerned in the late Inſult offered to the Houſe, they were admitted, and having given in the Names of *Thomas Fiſher* and *John Elliot*, as Perſons who had ſomething to ſay in Evidence, touching the Authors and Promoters of the ſaid Inſult, the ſaid *Fiſher* and *Elliot* were ſeverally called to the Bar, and examined, and then ordered to withdraw.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem Others of the Inhabitants, ſending in their Names to the Houſe, they were called to the Bar, and examined as to what they knew, or had ſeen, of the Perſons who had committed the late Inſult; and it appearing from their ſeveral Examinations, that *James Young*, *John Bell*, *John Wallace*, *William Vanderſpeigel*, *Thomas Lawrence*, *Richard Hockley*, *Lynford Lardner*, *Charles Oſborne* and *William Peters* had all been concerned therein,

Ordered, That Mr. Speaker do ſign Orders for apprehending the Six laſt mentioned of the ſaid Gentlemen, and bringing them to the Bar of the Houſe, to anſwer for the ſaid Inſult. And the ſame being made out accordingly by the Clerk, they were ſigned by Mr. Speaker, and delivered to the Serjeant at Arms.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 27. More of the Inhabitants giving in their Names as Evidences, touching the late Inſult, they were examined in the Houſe.

The Houſe having examined the Witneſſes, and being informed, that Mr. *Vanderſpeigel* was attending without, in Cuſtody of the Serjeant at Arms, he was ordered in, and acquainted by Mr. Speaker, that he had been charged before the Houſe with being concerned in the late Inſult offered to the Repreſentatives of the People, and was therefore now brought to the Bar to exculpate himſelf from the ſaid Charge, if in his Power. The ſaid *Vanderſpeigel*, in Reply, aſſured the Houſe, that he was not only in part, but wholly, innocent of the Accuſation; that he very much diſapproved of ſuch Behaviour, as extremely wrong, and had left the Houſe upon it; but had he been any way inſtrumental in promoting it, he would immediately aſk Pardon of the Houſe with the greateſt Chearfulneſs.

The Evidence againſt Mr. *Vanderſpeigel* was then called for, but being out of the Way, the ſaid *Vanderſpeigel* was diſmiſſed till the Afternoon.

Lynford Lardner, Eſq; being charged with the like Offence, was next called to the Bar, and acquainted therewith. In Anſwer to which, he aſſured the Houſe, he had not been in the Aſſembly Room during the Evening on which the Diſturbance happened, nor at any Time ſince the Beginning of the Examination and Trial of Meſſrs. *Moore* and *Smith*; and that his Family could teſtify to his being at Home unwell the whole Evening in which the Houſe had been inſulted. He was thereupon directed to withdraw, and to attend the Houſe again in the Afternoon, with ſuch Evidence as he had to produce in Proof of his Abſence at the Time of the ſaid Inſult.

Adjournment. The Houſe then adjourned to Three o'Clock, *P. M.*

Mr. *Thomas*

Mr. *Thomas Willing*, being present when the late Disturbance happened *in* the House, and inconsiderately joining therein, by clapping his Hands; but having since, from a Conviction of his Error, and not from any Evidence that hath appeared against him, voluntarily applied to a Member, to move his being admitted to make his Acknowledgements to the House, and now attending for that Purpose, the said *Willing* was called in, and having confessed he was sorry for the Countenance he had given to, and the Part he had borne in, the said Disturbance, the House received his Acknowledgments, and dismissed him. 1758. *January* 27. *Post Meridiem*

Mr. *Vanderspeigel* being then called in, the Evidence charging him, was examined before him, and again asserted, in the most explicit Terms, what he had at first declared. Whereupon the said *Vanderspeigel* was acquainted from the Chair, that if he could produce Persons to depose any Thing in his Favour, he was at Liberty to do it, and in Case those Persons should refuse attending, upon his Request, the House would issue Orders for bringing them. —— He withdrew.

Lynford Lardner, Esq; was next called to the Bar, and produced his Servant Woman as an Evidence, who was examined, and the House being fully satisfied, from her clear and positive Testimony, of that Gentleman's Innocence, he was forthwith discharged.

Thomas Lawrence, Esq; was then called to the Bar, and being acquainted with the Charge against him, acknowledged he had clapped his Hands, but did not in the least intend thereby any Insult upon the House; and further declared, that had he suspected they would have taken such a Conduct in that Light, he would not, upon his Honour, have joined in it.

Richard Hockley, Esq; being next ordered to the Bar, and having heard the Charge against him, denied the same positively.

William Peters, Esq; was then called, and being acquainted with the Charge against him, confessed he did clap his Hands, but designed thereby neither any Approbation of Mr. *Smith's* Speech, or the least Offence to the House, having done it suddenly, and inconsiderately; for had he thought at all, he should have condemned it as an Indecency, and was sorry for it, because an Act he ought not to have been guilty of —— owned it was a Fault, and his Duty to confess it; was sorry for it, and should be cautious of such Conduct for the future.

Mr. *Osborne* appeared next at the Bar, and, after hearing his Charge, replied, that had he believed his applauding Mr. *Smith's* Speech would have given Offence to the House, he should not have done it; but hurried by the Example of others, he owned he had joined in the Clap, though could he have imagined it would be considered by the House as an Insult upon them, he should not have done so; further declaring, that he would offer no Insult to any Man, and much less to that Body, and was sorry for his Conduct.

Mr. *Wallace* was last called to the Bar, and having heard the Charge against him, acknowledged he did clap his Hands, and hiss, at the Conclusion of Mr. *Smith's* Speech; but, in Justice to himself, and in Respect to the House, declared he was sorry for it; and that he had done it in Surprise, and without thinking; for had he had Time to reflect on it, he should have concluded it an Indecency. —— He further said, he did not attempt to stir after it, and had he been questioned when before at the Bar, he should have owned it was a very indecent Action.

The said Gentlemen being then called together to the Bar, were acquainted from the Chair, that the House would take into Consideration the several Acknowledgments they had made of their Misconduct, and were remitted to the Care of the Serjeant at Arms, till they should be again called for.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House taking into Consideration the late riotous Disturbance committed in the House, and the several Testimonies, charging Persons concerned therein, *January* 28.

Resolved, That stamping of Feet, hissing and clapping of Hands in a tumultuous Manner, in the Presence of, and before, this House, at the Time *William Smith* ended his insolent Speech, after he had been found guilty of promoting and publishing an infamous Libel, entituled, *The humble Address of* William Moore, *&c.* are an high Contempt to the Authority of this House, a Breach of the Privileges thereof, and destructive to the Freedom and Liberties of the Representatives of the People.

Resolved, That Mr. *John Bell*, of the City of *Philadelphia*, Merchant, is guilty of the said Offence.

Resolved, That Mr. *James Young*, Paymaster of the *Pennsylvania* Forces, is guilty of the said Offence.

Resolved, That Mr. *John Wallace*, Merchant, of the City of *Philadelphia*, is guilty of the said Offence.

Resolved, That *Thomas Lawrence*, Esq; Alderman of the City of *Philadelphia*, is guilty of the said Offence.

Resolved, That *William Peters*, Esq; one of the Justices of the Peace of the City of *Philadelphia*, is guilty of the said Offence.

Resolved,

1758. *Reſolved*, That Mr. *Charles Oſborne*, Druggiſt, of the City of *Philadelphia*, is guilty of the ſaid Offence.

January 28. Mr. *Charles Coxe* and Mr. *Andrew Hodge*, being produced to the Houſe as Evidences by Mr. *Vanderſpeigel*, they were admitted, and ſeverally declared, that one of them having ſeen the ſaid *Vanderſpeigel* the ſame Evening, and the other the next Morning, after the Riot had happened, he aſſured them he had not joined therein, but diſapproved of it as an Inſult on the Houſe, and therefore went out.

Mr. *Thomas Gregory* was then called for, as a further Evidence for the ſaid *Vanderſpeigel*, but was not to be found.

Richard Hockley, Eſq; was next called in, and being aſked, whether he had any Evidence to produce, he named Mr. *John Read*, who declared, that when the late Diſturbance happened, he was ſtanding next to Mr. *Hockley* in the Crowd, but did not ſee him clap his Hands, or hear him ſay to any Perſon, Why don't you clap? or in any other Manner urge thoſe about him to do it.

Adjournment Then the Houſe adjourned to *Monday* next, at Five o'Clock in the Afternoon.

January 30. *Poſt Meridiem* The Houſe met, purſuant to their Adjournment.

Mr. *Fox* deſiring Leave to be abſent for a few Days, on urgent Buſineſs, he was excuſed accordingly.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

January 31. Meſſieurs *Bell*, *Young*, *Wallace*, *Lawrence*, *Peters* and *Oſborne*, being ſeverally called, and having reſpectively made ſuch Acknowledgments of the Charge of joining in the late Inſult on the Repreſentatives of the People, as were ſatisfactory to, and accepted by, the Houſe, they were, after a proper Caution and Reprehenſion from the Chair for ſo great Miſbehaviour, diſcharged, upon Payment of their reſpective Fees.

Richard Hockley, Eſq; was next ordered in, and acquainted, that as the Evidence againſt him, was not poſitive, and he had produced others, whoſe Teſtimony had ſome Tendency to exculpate him from the Charge of joining in the late Inſult offered to the Houſe, he was acquitted.

Adjournment Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem Mr. Speaker brought in, and communicated to the Houſe, a Letter he had received from Mr. *Smith*, in Goal, which was read, and is as follows, *viz.*

SIR,

Mr. *Smith's* Letter to the Speaker.

AS I do not think that the Refuſal of your Houſe to receive, or admit, the Appeal which I tendered to them on *Wedneſday* the Twenty-fifth Inſtant, can either deprive his Majeſty of his Royal Prerogative to hear Appeals from any Judgment in this Province, nor any of his Subjects of their Right to make ſuch Appeal, I think it proper to acquaint you, and this Houſe of Aſſembly, that I am ſtill determined to lay my Appeal and Complaint before his Majeſty in Council, and to proſecute the ſame in ſuch Manner as I ſhall be adviſed, in order to obtain that Redreſs which I have Reaſon to hope from the Royal Clemency and Juſtice.

I do therefore require of you, and the Houſe, that you will be pleaſed to order your Clerk to ſign the Depoſitions and Papers which he has already delivered to me, or my Counſel, by your Order; and likewiſe that you will grant me Copies, under his Hand, of all other Papers, Minutes, Orders and Reſolves of your Houſe, concerning me, or my Caſe, which may be neceſſary to enable me to proſecute the ſame with Effect; for which Copies I am ready to pay. I am, Sir,

Philadelphia, *January* 30, 1758. *Your moſt humble Servant*,

To Thomas Leech, *Eſq*; *Speaker of the Houſe of Repreſentatives of the Freemen of* Pennſylvania. WILLIAM SMITH."

The Houſe taking the foregoing Letter into Conſideration, and being of Opinion, that it was a farther Inſult upon them, returned no Anſwer thereto.

Mr. *James Chattin*, Printer, being then ſent for, was examined by the Houſe, concerning his Knowledge of a certain Letter, ſigned *W. Smith*, printed in the *London Evening Advertiſer*, and the ſaid Examination taken down.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 1. *Ordered*, That Mr. *David Hall*, Printer, have Notice to attend the Houſe To-morrow Morning at Ten o'Clock.

Ordered, That the Serjeant at Arms give Notice to Colonel *Edward Jones*, and Mr. *Oſwald Peele*, to attend the Houſe To-morrow Morning at Eleven o'Clock.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 2. *James Webb*, Eſq; returned a Repreſentative for the County of *Lancaſter*, appearing for the firſt time in the Houſe ſince his Election, and having taken and ſubſcribed the uſual Qualification as a Member, took his Seat accordingly.

Colonel *Edward Jones* and Mr. *Oſwald Peele* attending agreeable to Notice, were called in and examined as to what they knew reſpecting the Conduct of Mr. *Vanderſpeigel* during

during the late Disturbance at the House: —— To which they both declared they knew nothing in particular of the said *Vanderspeigel's* Behaviour on that Occasion, as they had not seen him in the House, but only out of Doors, and did not then speak to him, or hear any Person or Persons say they had heard the said *Vanderspeigel* acknowledge he had clapped his Hands on the Conclusion of Mr. *Smith's* Speech. 1758. *February* 2.

Mr. *Hall* being then called in and examined why he had, in his late Evidence before the House, stiled himself the Province Printer? He replied, he had done so on Account of his Connection and Partnership with Mr. *Benjamin Franklin*, who has generally been ordered by Mr. Speaker to print the Proceedings of the House; but allowed his own Name had never been made use of in any Orders for that Purpose. —— He withdrew.

Resolved, That the Assemblies of *Pennsylvania* have never paid a Salary to any Person as Printer to the Province, but only occasionally employed whom they thought proper to print their Votes, and paid for the same as others do, without having any Printer properly belonging to the House.

Ordered, That Mr. *Vanderspeigel* have Notice to attend the House in the Afternoon, and bring any further Evidence he may have to produce to the House towards invalidating the Testimony against him.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Mr. *Saunders* desiring Leave of the House to be absent for some Days, was excused accordingly. *Post Meridiem*

The House being acquainted that Mr. *Vanderspeigel* was attending without, pursuant to Notice for that Purpose, he was ordered in, and asked by Mr. Speaker, whether he had brought any further Evidence? —— To which he answered, he had no others to produce than Mr. *Evan Morgan*, Mr. *Alexander Barclay* and Mr. *Isaac Stretch*; — two of whom he knew could only say they were near him in the House, and did not see him clap; but prayed Mr. *Stretch* might be heard, who was accordingly examined, and declared, that he saw the said *Vanderspeigel* a few Minutes after the Disturbance, and that he told this Deponent he thought such Behaviour very wrong, and had not joined in it, but went out of the Room as soon as the Clapping began.

Mr. *Vanderspeigel* then acquainted the House, he had no other Evidence to produce, and that it was his Misfortune those already heard were but circumstantial; he could, however, chearfully submit his Case to the Judgment and Lenity of the House.

He was ordered to withdraw; and the House taking into Consideration the Evidence, as well in Favour as against the said *Vanderspeigel*, he was called in again, and told by Mr. Speaker, that positive Evidence had been given against him, to which he had adduced circumstantial Evidence only, and his repeated Declarations of his Abhorrence of the Fact, soon after it was committed; that he had again so fully expressed the same before the House this Day, in a Manner becoming a Gentleman, that he (Mr. Speaker) had the Orders of the House to acquaint him, that they, in Consideration of his respectful Behaviour, do discharge him, paying his Fees.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from a Number of Tavern-keepers in the City was presented to the House and read, praying a Removal of the Soldiers quartered on them to the Barracks now finished, and ready for their Reception. *February* 3.

Ordered to lie on the Table for further Consideration.

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Masters*, Mr. *Smith*, Mr. *Ingham*, Mr. *Morton*, Mr. *Gibbons*, Mr. *Webb*, Messieurs *John* and *James Wright* and Mr. *Yorke* be a Committee to prepare and bring in an Answer to the Governor's last Message.

Ordered, That Mr. *Norris*, Mr. *Hughes*, Mr. *Galloway* and Mr. *Yorke* be a Committee to procure *James Chattin's* further Information respecting a Letter printed in the *London Evening Advertiser*, and signed *W. Smith*.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The House taking into Consideration the several Matters recommended to them in the Governor's late Messages, and first, the immediate Necessity of further Supplies, and being desirous to know in what Manner those granted last Year to his Majesty have been applied and expended, *Post Meridiem*

Ordered, That the Provincial Commissioners appointed to dispose, with the Governor's Approbation, of the *Hundred Thousand Pounds* given last Year to the King's Use, lay before this House their Accounts of the Application of the said Sum.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of a Bill for regulating the *Indian* Trade, committed to a Committee at the Beginning of this Sitting; and, after some Debate thereon, *February* 4.

The House adjourned to *Monday* next, at Five o'Clock in the Afternoon. Adjournment

The House met, and adjourned to Ten o'Clock To-morrow Morning. *February* 6.

Ordered, That Mr. *Roberdeau*, Mr. *Pearne*, Mr. *Walker*, Mr. *Morton*, Mr. *Hunt*, Mr. *Webb*, Mr. *Allen*, Mr. *Yorke* and Mr. *Plumsted* be, with the Speaker, a Committee *February* 7.

1758. to audit and examine the Accounts of the Commiſſioners appointed to diſpoſe of the *Hundred Thouſand Pounds* granted to the King's Uſe.

February 7. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment

February 8. The Committee appointed to prepare and bring in a Bill for regulating the *Indian* Trade, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame was read the firſt time.

A Petition from a Number of the Inhabitants of the City of *Philadelphia*, and others, was preſented to the Houſe and read, ſetting forth the abſolute Neceſſity of paving the Streets thereof, and praying, that as there is no public Fund eſtabliſhed for that Purpoſe, the Houſe would enable them, in ſuch Manner as they judge beſt, to accompliſh ſo uſeful and neceſſary a Work. *Ordered to lie on the Table for the Peruſal of the Members.*

Ordered, That Mr. *Trimble* and Mr. *Webb* wait on the Governor, and deſire he will be pleaſed to acquaint the Houſe with the preſent Number of Forces in Pay of the Province, where they are ſtationed, and how employed?

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Members appointed to wait on the Governor, reported, they had delivered the Meſſage according to Order; and that his Honour was pleaſed to ſay, he would furniſh the Houſe with a State of the Provincial Forces, as requeſted.

Ordered, That Mr. *Baynton*, Mr. *Pearne* and Mr. *Yorke* be a Committee to examine and compare the ſeveral Accounts of *John Bell*, *James Young*, *John Wallace*, *Thomas Lawrence*, *William Vanderſpeigel*, *William Peters* and *Charles Oſborne*, with the Rates ſettled by the Committee appointed to regulate the Fees to be allowed Officers belonging to the Houſe.

The Members appointed to examine and compare the ſaid Accounts with the Table of Fees, reported, they had done the ſame, and found them to agree.

Ordered, That the Clerk ſign the ſaid Accounts, and deliver them to the Serjeant at Arms to be collected.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 9. The Houſe reſumed the Conſideration of the Bill for regulating the *Indian* Trade, which being read by Paragraphs, and debated, was re-committed to the Committee who brought it in, for ſome Alterations and further Additions.

Adjournment Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem The Governor ſent down to the Houſe, by *William Peters*, Eſq; an Account of the Number of Forces in Pay of the Province, where ſtationed, and on what Duty, with a verbal Meſſage, that in caſe the Houſe ſhould think any Parts of the ſaid Account wanted Explanation, Mr. *Young*, the Paymaſter, ſhould attend them for that Purpoſe.

A Petition from Meſſieurs *Lawrence*, *Wallace*, *Oſborne* and *Bell* was preſented to the Houſe, read, and ordered to lie on the Table.

The Houſe went upon the Conſideration of the *Indian* Trade Bill, as again brought in by the Committee to whom it was re-committed in the Morning; and, after ſome De-

Adjournment bate thereon, adjourned to Ten o'Clock To-morrow Morning.

February 10. The Serjeant at Arms being called in, acquainted the Houſe, that *Thomas Lawrence*, Eſq; had poſitively refuſed to pay the Fees due from him to the Officers of the Houſe, and that Mr. *Wallace*, Mr. *Oſborne* and Mr. *Bell* had objected to the Payment of theirs; wherefore,

Ordered, That the Serjeant at Arms do again demand of the ſaid Gentlemen their reſpective Fees, and report their ſeveral Anſwers to the Houſe.

The Houſe then reſumed the Conſideration of the *Indian* Trade Bill; and, after ſome

Adjournment Time ſpent therein, adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Serjeant at Arms reported, that he had again demanded his Fees of Meſſieurs *Lawrence*, *Wallace*, *Oſborne* and *Bell*, in Anſwer to which they all told him, they had no Money, but he might diſtrain on their Goods.

The Houſe taking into Conſideration the Report of the Serjeant at Arms,

Ordered, That Warrants do iſſue to the Serjeant at Arms to apprehend and take into cloſe Cuſtody the ſaid *John Bell* and *John Wallace*, and them ſafely keep till they ſhall pay the Fees already due, and ſuch others as may ariſe upon this Commitment.

Ordered, That the Serjeant at Arms do alſo apprehend, by Virtue of the Warrants formerly granted, and take into cloſe Cuſtody the ſaid *Thomas Lawrence* and *Charles Oſborne*, and them ſafely keep till they ſhall likewiſe diſcharge the Fees demanded of them, and ſuch others as may further ariſe upon this Commitment.

And the ſaid Warrants for Meſſieurs *Bell* and *Wallace* being ſigned by Mr. Speaker, were delivered to the Serjeant, with the foregoing Order for the ſaid *Lawrence* and *Oſborne's* Confinement.

The Houſe then reſumed the Conſideration of the *Indian* Trade Bill, which, having been read the ſecond time, and conſidered by Paragraphs, was agreed to, and ordered to be tranſcribed.

The Governor, by *William Peters*, Eſq; ſent down to the Houſe an Extract from a

Letter

Letter of Capt. *Joseph Shippen's* to Lieutenant Colonel *Burd*, dated at Fort *Augusta*, the Twentieth of *January*, giving an Account of his having received Intelligence by *Job Chellyway*, that a small Party of *French*, joined by a *Munsey* Captain and his Warriors, are expected down next Month, to attack Fort *Allen*. 1758. *February* 10.

Then the House adjourned to Eleven o'Clock To-morrow Morning. Adjournment

A Letter from *Richard Peters*, Esq; Secretary, to the Reverend *Jacob Till*, dated the Fourth of *February*, inclosing a large Packet, directed to *Timothy Horsefield*, Esq; was left Yesterday at the Brethrens House in this City, and To-day the said Letter, with the inclosed Packet, were brought to a Member of this House by *Lewis Weiss*, a *Moravian*, desiring he would lay the same before the Assembly for their Opinion, whether he ought not to send an Express to *Bethlehem* with the said Packet, as it appears from the Secretary's Letter, that it contains Dispatches of great Consequence, and has been already delayed several Days.——The said Papers were accordingly brought into the House by the Member to whom they were committed; and, after some Debate thereon, *February* 11.

Ordered, That Mr. *Fox* and Mr. *Galloway* wait on the Governor, and deliver the said Letter and Packet to his Honour, acquainting him of the Manner in which they came before the House, who have been induced to send them to the Governor, upon a Supposition that he is no Stranger to the Contents of the said Packet, and can therefore best judge what ought to be done with it.

The Members return, and report, that they had waited on the Governor, and delivered the Packet and Letter, with the Message of the House, according to Order;—that his Honour opened the said Packet in their Presence, and acquainted them with the Contents thereof; after which he was pleased to say, he was obliged to the House for the Care they had taken; that he expected it had been forwarded, agreeable to Direction, some Days since, and would make immediate Enquiry into the Causes of its Delay.

The Bill for regulating the *Indian* Trade being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Masters* and Mr. *Yorke* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *February* 13. *Post Meridiem*

The Members appointed to wait on the Governor with the Bill for preventing Abuses in the *Indian* Trade, *&c.* reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into immediate Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor's Estimate of Expences for the current Year, with the Paymaster's Account of Arrears due to the Provincial Forces, being read by Order, the House went upon the Consideration of Supplies; and, after some Debate thereon, adjourned to Three o'Clock, *P. M.* *February* 14. Adjournment

The House resumed the Consideration of Supplies, and the Number of Forces to be kept up for the current Year; and, after some Time spent therein, the Question was put, Whether Seven Hundred Men shall be continued in Pay of the Government for the ensuing Year? and the same was resolved in the Affirmative. *Post Meridiem*

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Hughes*, Mr. *Masters* and Mr. *Pearne* be a Committee to examine the Petitions presented to the late Assembly against *William Moore*, and extract such Parts from thence, and from the Affidavits taken in Support of them, as they may judge most proper, to shew the Foundation upon which that Assembly proceeded as they did against the said *Moore*, and report the same to this House, for their Opinion, before the Publication thereof.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resuming the Consideration of the Provincial Forces, and the Number of Officers to be continued in Pay of the Government, *February* 15.

Resolved, That the Provincial Forces shall consist, for the ensuing Year, of Seven Hundred Men, to be divided into seven Companies, each of which Companies shall have a Captain, Lieutenant and Ensign, two Serjeants, two Corporals and one Drummer.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House proceeded on the Consideration of the Officers further necessary to the Provincial Service; and, after some Time spent therein, *Post Meridiem*

Resolved, That a Commissary of the Musters shall be continued in Pay of the Government, at *Ten Shillings per Diem*, and reasonable travelling Expences: Also a Commissary of the Stores, to reside at Fort *Augusta*, at *Seven Shillings and Six-pence per Diem*; and one Surgeon, at the same Wages.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor, by Mr. *William Peters*, sent down the Bill for preventing Abuses in the *Indian* Trade, *&c.* with his Honour's Amendments thereon, which were read, and referred to further Consideration. *February* 16.

Then

1758. Then the Houſe adjourned to Three o'Clock, *P. M.*

February 16. *Poſt Meridiem* The Houſe reſumed the Conſideration of the Governor's Amendments, ſent down in the Forenoon, with the Bill for preventing Abuſes in the *Indian* Trade; and, after ſome Time ſpent therein, admitted a few of the ſaid Amendments, and in others adhered to the Bill.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 17. The Houſe reſumed the Conſideration of his Honour's Amendments on the Bill for preventing Abuſes in the *Indian* Trade, *&c.* and, after ſome Time ſpent therein, adjourned to Three o'Clock, *P. M.*

Adjournment

Poſt Meridiem The Houſe went again upon the Conſideration of the Governor's Amendments to the Bill for preventing Abuſes in the *Indian* Trade; and, having gone through with the ſame, adjourned to Ten o'Clock To-morrow Morning.

Adjournment

February 18. Such of the Governor's Amendments on the Bill for preventing Abuſes in the *Indian* Trade, *&c.* as were agreed to by the Houſe, being tranſcribed,

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor, and deliver to his Honour the Bill for preventing Abuſes in the *Indian* Trade, together with the Paper of Amendments agreed to by the Houſe, and deſire he will be pleaſed to paſs the ſaid Bill agreeable thereto.

Adjournment Then the Houſe adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 20. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Members appointed to wait on the Governor with the Bill for regulating the *Indian* Trade, and ſuch of his Honour's Amendments thereon as were admitted by the Houſe, report, they had delivered the ſame according to Order; and that the Governor was pleaſed to ſay, he would take them into immediate Conſideration.

His Honour, by Mr. *William Peters*, ſent down to the Houſe a Copy of a Letter received Yeſterday by Expreſs from his Excellency *John* Earl of *Loudoun*, and ordered Mr. *Peters* to acquaint the Houſe, that he moſt earneſtly recommended a Compliance with the Requiſition therein contained, with the utmoſt Secrecy and Diſpatch.

And the ſaid Letter from his Lordſhip being read, follows in theſe Words, *viz.*

SIR, *New-York, February* 13, 1758.

Lord *Loudoun's* Letter to the Governor.

AS I am directed by his Majeſty to apply to the ſeveral Governments in *North-America*, for ſuch Aid and Aſſiſtance as are neceſſary for carrying on the War in this Country, which is likewiſe fully expreſſed in the ſeveral Letters tranſmitted by his Majeſty's Secretaries of State, down from Sir *Thomas Robinſon's* Letters to them, of the Twenty-ſixth of *October*, 1754, to this Time, directing that they ſhould correſpond and co-operate with his Majeſty's Commander in Chief, for the Time being, in *North-America*, and that they will uſe their utmoſt Endeavours to induce their Councils and Aſſemblies to give the neceſſary Orders for raiſing their Quotas of Men with the greateſt Expedition, ſo that they may be ready to march to ſuch Places as the Commander in Chief ſhall direct.

In Conſequence of which Orders I now apply to you to uſe your utmoſt Endeavours, with your Council and Aſſembly, to furniſh a Body of Eight Hundred good Men, and that as many of them as poſſible ſhould be uſed to ranging, to act in Conjunction with his Majeſty's Forces the next Spring, in carrying on vigorous and offenſive Meaſures againſt the Enemy, over and above what is neceſſary for the Defence of your own Forts on the Frontiers of your Province, and that this Body ſhould be ready to march by the Beginning of *April*.

As this will occaſion the raiſing an additional Number to what your Province now have, I would propoſe to you, that the Addition ſhould be raiſed only for the Campaign, and to be diſmiſſed at the End of it, by which Means, I am of Opinion, that it will not only be leſs expenſive to the Province, but you will ſooner complete your Quota with good Men, as they will be enabled to return to their own Habitations in the Winter.

I am the further induced to expect that they will readily comply with this Requeſt, that I will, as ſoon as they join his Majeſty's Forces, ſupply them with the King's Proviſions, at the Expence of the Crown, which will greatly eaſe the Province in that material Article, and as the Service I propoſe to employ them on, will be an immediate Benefit and Security to your Province, I need uſe no Arguments to induce you, who are ſo well acquainted with the Intereſt of this Country, to uſe your utmoſt Endeavour to forward this Meaſure, ſo eſſential for carrying on the War, and the Safety of your own Province. I am, with great Regard,

Sir, your moſt obedient humble Servant,

LOUDOUN."

A true Copy,
Examined by WILLIAM PETERS, *Deputy Secretary.*

A Petition from the Overſeers of the Highways, in divers Townſhips within the County of *Philadelphia*, was preſented to the Houſe and read, ſetting forth, that they are,

by

by the Laws of the Province, obliged to keep the public Roads of their respective Townships in good Repair, but that the said Laws have made no Provision for supplying them with the Materials required for that Purpose, such as Wood, Stone, Gravel, &c. and Carriages to collect them at the several Places in which they may be wanted;——that near the City, where the Roads, from being most used, oftenest stand in Need of Repairs, the said Materials cannot be procured, few People being able to supply them, and such as can do it, will not spare them without a Consideration for the same:—— That the Petitioners therefore humbly pray the House to take their Case into Consideration, and afford such Redress as they shall judge proper. 1758. *February* 20.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from such of the Merchants in the City of *Philadelphia* as are interested in the *Palatine* Trade was presented to the House and read, setting forth, that by an Abuse of the Act of Assembly, entituled, *An Act for the Relief of insolvent Debtors*, they the Petitioners have lost considerable Debts and Sums of Money, contracted for and agreed to be paid by *Palatines* imported here, for their Passages or Freights, who, under Colour of the said Act, absconding and secreting themselves from their Creditors for the Space of two Years, have, by Virtue thereof, been exonerated from the said Debts, though in Circumstances to discharge them:——The Petitioners therefore pray the House to re-consider the said Law, and make such Amendments thereon as may effectually prevent the like Abuses for the future. *February* 21. *Referred to further Consideration.*

Upon Motion, That there is an absolute Necessity to fit out the *Pennsylvania Frigate* with all possible Dispatch, for the Protection of Trade against the Enemy Privateers, now infesting our Coast; and that there is no public Money remaining at the Disposal of the Governor and Provincial Commissioners for that necessary Purpose, the House took the said Motion into Consideration, and

Ordered, That the Clerk do apply to the Collector for an Account or Estimate of the Tonnage of all Vessels that have been entered and cleared at his Office for the Space of one Year last past, and that *John Baynton*, Esq; one of the late Provincial Commissioners, entrusted with the Equipment of the *Pennsylvania Frigate*, for her last Cruize, do lay before this House an Account of the monthly Expence of the said Frigate, during that Cruize.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The Petition of *John Proby*, one of the first Settlers in *York-Town*, was presented to the House and read, setting forth, in a prolix and circumstantial Manner, various Hardships, Abuses and Acts of Injustice suffered by the Petitioner from *George Stevenson*, Clerk of the Court, and *James Smith*, Attorney, *Harman Uptagrave*, Magistrate, *John Lawrence*, Attorney, *John Adlum*, Sheriff, *Benjamin Swoope*, &c. &c. and praying Redress from the House. *Referred to further Consideration.*

The House went upon the Consideration of Lord *Loudoun's* Letter to the Governor, sent down to the House last Night; and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning. Adjournment

Mr. *Baynton*, agreeable to the Order of Yesterday, reported to the House an Estimate of the Expence of the Ship *Pennsylvania Frigate*, for a Six Months Cruize, which was read, and is as follows, *viz.* *February* 22.

OFFICERS and Mens Pay, at *Six Hundred Seventy-seven Pounds, Twelve Shillings* and *Six-pence per* Month, ——	£	4,065	15	0
Provisions for 170 Men, at *Twenty-five Shillings per* Man *per* Month,		1,375	0	0
Tradesmens Bills, &c. as *per* List, —— ——		985	0	0
	£	6,425	15	0

Estimate of the Expence of the *Pennsylvania Frigate.*

Which is *One Thousand* and *Seventy Pounds Nineteen Shillings* and *Two-pence per* Month, exclusive of several small incidental Charges, which I cannot now account for.

It is impossible to ascertain exactly the Out-fit of the *Pennsylvania Frigate*, but, as near as I can form a Judgment, it will be as above, completely fitted for a Six Months Cruize.

The Equipping of the Province Ship in *August* last, extra of her prime Cost, was *Four Thousand Six Hundred Pounds*, but then her Cruize was but for three Months.

JOHN BAYNTON."

Then the House adjourned to Four o'Clock, *P. M.* Adjournment *Post Meridiem*

The House resumed the Consideration of his Lordship's Letter to the Governor; and, after some Time spent therein,

Resolved, That Three Hundred of the Provincial Forces be added to the Seven Hundred Men, some Days ago voted by this House for the Defence of the Province during the current Year.

Resolved, That Seven Hundred of the said Troops be kept in Readiness, as the Pro-

1758. portion of Aid demanded from the Province of *Pennſylvania* by his Excellency *John* Earl
February 22. of *Loudoun*, in his Requiſition to the Governor of ſaid Province, and of the Counties of *New-Caſtle*, *Kent* and *Suſſex*, upon *Delaware*, of Eight Hundred Rangers, to act in Conjunction with his Majeſty's Forces next Spring, in carrying on vigorous and offenſive Operations againſt the Enemy.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 23. *Ordered*, That Mr. *Pearne* and Mr. *Hunt* wait upon the Governor, and acquaint him, the Houſe deſire to know when they may expect his Honour's Reſult upon the Bill for preventing Abuſes in the *Indian* Trade, *&c.*

The Members return, and report, they had waited on the Governor, and delivered the Meſſage of the Houſe agreeable to Order; to which his Honour was pleaſed to reply, that the *Indian* Trade Bill was a Bill of very great Importance; that it required the moſt deliberate Conſideration; that ſeveral Members of the Council were abſent, but that on their Return it ſhould be laid before a full Council, re-conſidered, and then the Houſe ſhould know his Reſult thereon.

The Houſe reſumed the Conſideration of Supplies for the current Year; and, after
Adjournment ſome Debate, adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe went again upon the Conſideration of Supplies; and, after ſome Time ſpent therein,

Reſolved, That the Sum of *Eighty Thouſand Pounds* be given to the King's Uſe, for defraying the Exigencies of the current Year.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

February 24. The Houſe proceeded in the Conſideration of Ways and Means for raiſing the Sum of *Eighty Thouſand Pounds*, granted to the King's Uſe by the Reſolve of Yeſterday, and,
Adjournment after ſome Debate, adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe reſumed the Conſideration of Ways and Means for ſinking the Sum of *Eighty Thouſand Pounds*, and, after a conſiderable Time ſpent therein, a Queſtion was put, Whether a Committee ſhould be appointed to eſtimate a proportionable Quota, in order to aſſeſs the ſame on the ſeveral Counties within this Province, towards ſinking the ſaid Sum of *Eighty Thouſand Pounds* granted to the King's Uſe? —— And the ſaid Queſtion was reſolved in the Negative.

Adjournment Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

February 25. The Houſe reſuming the Conſideration of Ways and Means, *&c.* after ſome Time ſpent therein,

Ordered, That Mr. *Norris*, Mr. *Pearne*, Mr. *Maſters*, Mr. *Smith*, Mr. *Grubb*, Mr. *Saunders*, Mr. *Allen*, Mr. *Yorke* and Mr. *Plumſted* be a Committee to prepare and bring in a Bill for raiſing *Eighty Thouſand Pounds*, to be given to the King's Uſe.

Adjournment Then the Houſe adjourned to *Monday* next, at Five o'Clock in the Afternoon.

February 27. The Houſe met, and adjourned to Ten o'Clock To-morrow Morning.
Adjournment

February 28. The Governor, by *William Peters*, Eſq; ſent down the Bill for preventing Abuſes in the *Indian* Trade, *&c.* with a Reply to the Aſſembly's Anſwer to his Honour's Amendments thereon, which Reply was read, and referred to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe reſuming the Conſideration of the Governor's Reply to their Anſwer to his Honour's Amendments on the Bill for preventing Abuſes in the *Indian* Trade, admitted ſome Parts thereof, and in others adhered to the Bill, which Parts of the ſaid Reply being tranſcribed accordingly,

Ordered, That Mr. *Aſhbridge* and Mr. *Saunders* wait on the Governor with the ſaid Tranſcript; and alſo return to his Honour the Bill for preventing Abuſes in the *Indian* Trade, *&c.* and deſire he will be pleaſed to paſs the ſame, agreeable to the Anſwer of the Houſe, now preſented, to his Honour's laſt Amendments on the ſaid Bill.

The Committee appointed to prepare and bring in a Bill for granting the Sum of *Eighty Thouſand Pounds* to the King's Uſe, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read the firſt time, was ordered to lie on the Table for a ſecond Reading.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 1. The Members appointed to wait on the Governor with the Bill for preventing Abuſes in the *Indian* Trade, *&c.* and the Anſwer of the Houſe to his Honour's laſt Amendments on the ſaid Bill, reported, they had delivered the ſame, with the Meſſage of the Houſe, according to Order; and that the Governor was pleaſed to ſay, he would take them into immediate Conſideration, and acquaint the Houſe with his Reſult thereon.

The Houſe then went upon the Conſideration of laying a Duty of Tonnage on all Veſſels entering at, and clearing from, this Port, for defraying the Expence of fitting out and maintaining the Province Ship of War for the Protection of Trade, and, after
Adjournment ſome Time ſpent therein, adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Houſe reſumed the Conſideration of further Ways and Means of raiſing Money for

for Support of the Province Ship of War, and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning. 1758. Adjournment *March* 2.

The House went again upon the Consideration of Ways and Means of raising Money for Maintaining the Province Ship of War; and, after some Time spent therein, adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Mr. *Roberdeau*, by Direction of the Managers of the *Pennsylvania* Hospital, laid before the House an Account of the Stock, Expences, &c. of the said Hospital, which was read, and is as follows, *viz.*

We the Committee, appointed by the Board of Managers of the Pennsylvania Hospital *to adjust the Accounts for the preceding Year, do* REPORT,

That on the Account of Capital Stock the Treasurer, *Hugh Roberts*, gives Credit for Cash received from the following Subscribers, *viz.*

			£	s	d
1756. *May*	4.	Jacob Cooper,	10	0	0
August	14.	Thomas Maule,	12	10	0
	25.	Joseph Leech,	10	0	0
	26.	Jacob Duché,	10	0	0
September	3.	Samuel Morris,	10	0	0
		Solomon Fussel,	10	0	0
	6.	John Baynton,	10	0	0
		Walter Goodman,	10	0	0
		Carried forward,	82	10	0
		Brought forward,	82	10	0
1756. *Sept.*	17.	John Dixon,	5	0	0
Nov.	19.	Joseph Shewell,	10	0	0
1757. *Jan.*	13.	Robert Cross,	5	0	0
March	9.	James Stones,	10	0	0
April	4.	George Bensell,	10	0	0
	16.	Paul Kripner,	10	0	0
	29.	Thomas Ellis,	10	0	0
May	2.	Thomas Clifford,	10	0	0
			£ 152	10	0

Report of the Committee on the Accounts of the Hospital.

And he Debits,

Cash paid Charles Norris, the former Treasurer, the Balance due to him the Third of Fifth Month, 1756,	£ 49	17	0
So that the Balance on this Account, now remaining in his Hands, is,	102	13	0
	£ 152	10	0

And on Account of the Stock, granted and contributed towards the Building of the New Hospital, the Treasurer Credits,

Cash received of the former Treasurer, the Balance in his Hands,	£ 418	15	0
Ditto of the Provincial Treasurer, by the Orders of sundry Contributors, Signers of the Bills of Credit,	684	18	9
Ditto of Thomas Maule, his additional Contribution,	12	10	0
Ditto of Samuel Preston Moore, Ditto,	2	1	0
Ditto of John Baynton, a Legacy of his Father's,	10	0	0
Ditto of Mary Loveday, her Contribution,	3	0	0
Ditto of Philip Ludwell, Esq; of Virginia, Ditto, 10 *l.* Sterling,	17	0	0
Ditto of Samuel Cheeseman, Ditto,	10	0	0
Carried forward,	£ 1,158	4	9
Brought forward,	£ 1,158	4	9
Cash received of Benjamin Armitage, his Contribution,	10	0	0
Ditto of William Dilworth, Ditto,	10	0	0
Ditto of Plunket Fleeson, in Part of Dit.	4	0	0
Ditto of Charl. Stow, jun. in Part of Dit.	5	8	0
Ditto of John Drinker, Ditto,	10	0	0
Ditto of John Palmer, Ditto,	10	0	0
Ditto of Thomas Hallowell, Ditto,	10	0	0
Ditto of John Parish, Ditto,	10	0	0
Ditto of Eleanor Hair, Ditto,	21	2	4
Ditto of Sebastian Graff, Ditto,	20	0	0
Ditto of Robert Strettell, Ditto,	7	12	0
Ditto of Samuel Neave, additional Contribution,	10	0	0
Dit. of Luke Morris, some refuse Boards,	2	1	0
	£ 1,288	8	1

And on the said Account, he Debits,

Cash paid Samuel Rhoads, by four Orders of the Managers,	£ 900	0	0
Ditto paid Catharine Wistar, in Discharge of C. Norris's Bond for the £ 200 borrowed of her, and Twelve Months Interest,	212	0	0
Ditto paid Robert Strettell, for eight Pair of And-irons,	7	12	0
Ditto paid Samuel Neave, for fifteen striped Blankets,	10	0	0
	£ 1,129	12	0
So that there remains in his Hands, to balance this Account,	158	16	1
	£ 1,288	8	1

On Account of Interest Money, the Treasurer Debits,

Cash paid the former Treasurer to balance this Account,	£ 379	1	8½
Ditto paid James Kinsey for Half a Year's Rent, due before removing into the new Hospital,	20	0	0
Ditto paid Elizabeth Gardiner, the Matron, for Houshold Expences, &c. by eleven Orders of the Managers,	285	0	0
	£ 684	1	8½

And on the said Account, he Credits,

Cash received of sundry Persons, in Part of the Interest Money due, for Money lent on Land Security,	£ 126	0	0
Ditto received of the Contributors, Part of the Interest due from them,	112	13	10
Ditto of William Allen, Esq; his annual Subscription,	12	0	0
Ditto of John Pearson, for Isaac Norris's Annuity,	6	0	0
Ditto of William Vanderspeigel, for two Years Subscription,	2	0	0
Ditto of Thomas Hallowell, one Half the Rent of the Pasture,	3	0	0
	£ 261	13	10
So that there remains due to the Treasurer on this Account,	422	7	10½
	£ 684	1	8½

Thus

1758. *March 2.*

Thus it appears on the Whole there remained due to the Treaſurer, on the Second of the *Fifth Month*, 1757, *One Hundred and Sixty Pounds Eighteen Shillings and Nine-pence Halfpenny*, beſides an Account which he has not yet adjuſted, of Sundries paid for, and provided by him towards the Building, to be ſettled with the next Year's Accounts.

On a general State of the Accounts, it appears, That

Dr. *The Capital Stock of the* Pennſylvania HOSPITAL, Cr.

To 146 Bonds remaining due from ſundry Contributors,	£	1,774	16	8	By 133 Subſcriptions, before the Settlement of Accounts, 1752,	£ 2,721	16 8
To 17 Subſcriptions, for which Bonds are not yet given,		109	0	0	By 2 Ditto, 1753,	30	0 0
To 9 Bonds, 8 of which with Land Securities, in the Hands of the Treaſurer, for Money lent on Intereſt,		2,860	0	0	By 1 Ditto, 1754,	10	0 0
To Deeds in the Treaſurer's Hands for a Lot near Germantown, and two Annuities of 1 *l.* 15 *ſ.* Sterling, and 6 *l.* Currency per Annum, valued at		174	0	0	By 186 Ditto, 1755,	2,028	13 0
	£	4,917	16	8	By 7 Ditto, 1756,	70	0 0
Balance remaining due to this Account,		102	13	0	By 16 Ditto, 1757,	160	0 0
					Beſides three annual Subſcriptions, amounting to 14 *l.* 10 *ſ.* per Annum,		
	£	5,020	9	8		£ 5,020	9 8

Dr. *Stock granted by Law, and contributed by private Subſcribers, for founding, building and furniſhing the Hoſpital,* Cr.

To Expences of Furniture, Houſe-rent, &c. adjuſted 1752,	£	143	5	7½	By Caſh of the Truſtees of the General Loan-Office,	£	2,000	0 0
1753,		42	4	9½	By Intereſt received by the Treaſurer, as by Account ſettled in 1753,	£	67	0 0
1754,		84	12	7	1754,		160	0 0
1755,		51	4	7½	1755,		61	0 0
1756,		35	7	5	1756,		105	0 0
1757,		63	10	4			393	0 0
	£	420	5	4½	By Caſh of ſundry Contributors, and Legacies, &c. given to this Fund, as entered in Accounts ſettled 1756,	£	318	15 0
To Caſh paid Parker and Hinton, for the Lot for the Site of the Hoſpital,		500	0	0	Since received by the Treaſurer,		869	13 1
To Caſh paid S. Rhoads, towards purchaſing Materials, and carrying on the Building, as adjuſted 1756,	£	1,450	0	0			1,188	8 1
Since paid 1757,		900	0	0				
	£	2,350	0	0				
To Caſh paid C. Wiſtar, Intereſt of Money borrowed to carry on the Building, and ſince repaid,		12	0	0				
To Caſh remaining in the Hands of the Treaſurer,		158	16	1				
	£	3,441	1	5½				
To Balance due to this Account, which muſt be made good out of the Account of Houſhold Expences, when the Fund appropriated for that Account will enable us to do it, and is occaſioned by ſome Articles, belonging to Account of Expences, being carried to this Account, and others twice charged,		140	6	7½				
	£	3,581	8	1		£	3,581	8 1

Dr. *The Houſhold Expences of the* Pennſylvania Hoſpital, Cr.

To Balance of Account ſettled the Third of Fifth Month, 1756,	£	563	12	8	By Intereſt-money received from the Contributors,	£	112	13 10
To the Amount of Proviſions, Firewood, Wages, &c. to this Second of Fifth Month, 1757,		358	17	3	Ditto from the Borrowers of Money lent,		126	0 0
					By Caſh received from ſundry Charity-Boxes, viz.			
					The Houſe of Repreſentatives, £ 20 8 1			
					The Chief Juſtice's, 4 3 9			
					Alderman Coleman's 0 17 8			
					Alderman Mifflin's, 6 7 1			
					The Hoſpital, 4 0 9			
					Several of the Managers, 1 12 8			
							37	10 0
					By Caſh received for boarding Pay Patients,		44	10 0
					Ditto for W. Allen's annual Subſcription,		12	0 0
					Ditto for I. Norris, his Annuity,		6	0 0
					Ditto for W. Vanderſpeigel's Ditto, 2 Years,		2	0 0
					Ditto Rent of Half the Paſture,		3	0 0
						£	343	13 10
					Balance, being what we have expended more than our Income,		578	16 1
	£	922	9	11		£	922	9 11

The foregoing Accounts were examined, and the Liſts of Bonds &c. therein mentioned, and particularly entered in the annexed Schedules, compared with the Originals, which, together with the Deeds relative to the Mortgages for Money lent out on Intereſt, and the Deeds for the Ground-rents and Lots, granted to the Contributors of the *Pennſylvania Hoſpital*, and the Seal of the Corporation, were found remaining in the Hands of *Hugh Roberts* (the Treaſurer) the Second Day of the *Fifth Month*, 1757.

ISRAEL PEMBERTON,
JOSEPH RICHARDSON."

Ordered,

Ordered, That Mr. *Pearne*, Mr. *Masters*, Mr. *Walker*, Mr. *Morton*, Mr. *Saunders*, Mr. *Allen*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to visit the Hospital, and report the State thereof to the House. 1758. *March* 2.

The House then again resumed the Consideration of Ways and Means for raising Money to support the *Pennsylvania Frigate*, for the Protection of Trade; and, after some Time spent therein,

Ordered, That Mr. *Hughes*, Mr. *Baynton*, Mr. *Trimble*, Mr. *Strickland*, Mr. *Carpenter* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for laying a Duty of Tonnage on all Vessels (as well our own as foreign Bottoms) entered at, and cleared from, this Port, together with an Impost on Brandy, Wine, Rum and Sugar, and an Excise on Tea, to be collected from the Retailers thereof, and applied to the Support of the Province Ship of War, for the Protection of Trade.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House taking into Consideration, that several Laws, enacted last Year, are near expiring, and require to be revived, with certain Alterations and Additions, which Experience hath shewn to be necessary, *March* 3.

Ordered, That Mr. *Hughes*, Mr. *Masters*, Mr. *Ingham*, Mr. *Wayne*, Mr. *Webb*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to prepare and bring in Bills for quartering of Soldiers, and regulating the Hire of Carriages, to be employed in his Majesty's Service within this Province.

Upon Motion, The Petition of sundry Merchants of the City of *Philadelphia*, interested in the *Palatine* Trade, praying an Amendment of the Law, entituled, *An Act for the Relief of insolvent Debtors*, was read a second time; and, after some Debate thereon, the Question was put, Whether the said Petitioners shall have Leave to bring in a Bill for remedying the Inconveniencies complained of from the said Act?—And the same was resolved in the Negative by a great Majority.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

Upon Motion, The Petition of a Number of Citizens, for paving the Streets of *Philadelphia*, was again read; and, after some Time spent in Consideration thereof, *Post Meridiem*

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose expressed in their said Petition.

Ordered, That Mr. *Hughes*, Mr. *Masters*, Mr. *Ingham*, Mr. *Wayne*, Mr. *Webb*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to prepare and bring in a Bill for regulating the Officers and Soldiers commissionated and raised by the Governor for the Defence of this Province; and for repealing the Act of General Assembly passed in the present Reign for the same Purposes.

Then the House adjourned to Nine o'Clock To-morrow Morning. Adjournment

The Committee appointed to examine the Petitions presented to the late Assembly against *William Moore*, Esq; reported, they had made some Progress therein, and desired further Time to complete the same. *March* 4.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon. Adjournment

The House met, and adjourned to Ten o'Clock To-morrow Morning. *March* 6.

The Committee appointed to prepare and bring in a Bill for laying a Duty of Tonnage on Vessels, and an Impost on Wine, Rum, Brandy, and other Spirits, *&c.* for supporting a Vessel of War to protect Trade, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading. Adjournment *March* 7.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House resumed the Consideration of the Bill for laying a Duty of Tonnage on Vessels, *&c.* and, after some Time spent therein, the said Bill was re-committed to the Committee which brought it in, with the Addition of Mr. *Norris*, Mr. *Galloway* and Mr. *Pearne*, for such Alterations as were recommended by the House. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Governor again returned the Bill for preventing Abuses in the *Indian* Trade, *&c.* by the Secretary, who acquainted the House, that his Honour adhered to his Amendments thereon, and would not pass the said Bill unless they were agreed to.——The Question was then put, Whether the House will admit the Governor's said Amendments? And the same was unanimously resolved in the Negative. *March* 8.

The Secretary also delivered to the House a Letter from the Honourable *William Pitt*, Esq; his Majesty's principal Secretary of State, to the Governor, with a written Message from his Honour to the Assembly, which were severally read, and are as follow, *viz.*

GENTLEMEN,

'I HAVE ordered to be laid before you a Letter I received Yesterday from his Ma-
'jesty's principal Secretary of State, which contains Matters of the utmost Importance
'to his Majesty's Service, the common Concern of his Dominions on this Continent, and A Message from the Governor to the Assembly.

1758. March 8.

'more particularly the Security and Protection of this and the Southern Provinces. The 'vigorous Efforts determined on by his Majeſty the enſuing Campaign, to repair our 'late Loſſes, and to ſecure us from the future Deſigns of his Enemies, give the moſt 'convincing Proofs of his Royal Care and paternal Regard, and muſt neceſſarily inſpire 'every loyal Heart to make the moſt grateful Returns. I cannot therefore doubt a ready 'and chearful Compliance on your Part with the moſt reaſonable Demands made of this 'Province by his Majeſty, in the Secretary of State's Letter. On an Occaſion ſo in-'tereſting, I muſt, in the warmeſt Terms, preſs you, Gentlemen, to uſe Vigour, Una-'nimity and Diſpatch in your Councils, that nothing may be wanting towards the im-'mediate Execution of ſuch offenſive Meaſures as the Commander in Chief may judge 'neceſſary for his Majeſty's Honour and Intereſt; in which you may aſſure yourſelves of 'my moſt hearty Concurrence.

March 8, 1758. *WILLIAM DENNY.*"

The Secretary of State's Letter follows in theſe Words, *viz.*

SIR, *Whitehall, December* 30, 1757.

Mr. PITT's Letter to the Governor.

HIS Majeſty having nothing more at Heart than to repair the Loſſes and Diſappoint-ments of the laſt inactive and unhappy Campaign, and by the moſt vigorous and extenſive Efforts to avert, by the Bleſſing of God on his Arms, the Dangers impending on *North-America*; and not doubting but all his faithful and brave Subjects there will chearfully co-operate with, and ſecond to the utmoſt, the large Expence and extraor-dinary Succours ſupplied by this Kingdom for their Preſervation and Defence: And his Majeſty conſidering, that the ſeveral Provinces, from *Pennſylvania* incluſive to the South-ward, are well able, with proper Encouragements, to furniſh a Body of ſeveral Thouſand Men to join the King's Forces in thoſe Parts for ſome offenſive Operations againſt the Enemy: And his Majeſty not judging it expedient to limit the Zeal and Ardour of any of his Provinces, by making a Repartition of the Forces to be raiſed by each reſpectively, for this moſt important Service; I am commanded to ſignify to you the King's Pleaſure, that you do forthwith uſe your utmoſt Endeavours and Influence with the Council and Aſſembly of your Province, to induce them to raiſe, with all poſſible Diſpatch, as large a Body of Men within your Government, as the Number of its Inhabitants may allow, and forming the ſame into Regiments, as far as ſhall be found convenient, that you do direct them to hold themſelves in Readineſs, as early as may be, to march to the Ren-dezvous at ſuch Place or Places as may be named for that Purpoſe by Brigadier General *Forbes*, appointed to command his Majeſty's Forces in thoſe Parts, in order to proceed from thence, in Conjunction with a Body of his Majeſty's *Britiſh* Forces, and under the ſupreme Command of Brigadier *Forbes*, appointed as above, ſo as to be in a Situation to begin by the Firſt of *May*, if poſſible, or as ſoon after as ſhall be any way practicable, ſuch offenſive Operations as ſhall be judged, by the ſaid Commander of his Majeſty's Forces in thoſe Parts, moſt expedient for annoying the Enemy, and moſt efficacious towards re-moving and repelling the Dangers that threaten the Frontiers of any of the Southern Co-lonies on the Continent of *America*. And the better to facilitate this important Service, the King is pleaſed to leave it to you to iſſue Commiſſions to ſuch Gentlemen of your Province as you ſhall judge, from their Weight and Credit with the People, and their Zeal for the public Service, may be beſt diſpoſed and enabled to quicken and effectuate the ſpeedy levying of the greateſt Number of Men: In the Diſpoſition of which Com-miſſions, I am perſuaded, you will have nothing in View but the Good of the King's Service, and a due Subordination of the Whole, when joined to his Majeſty's Commander: And all Officers of the Provincial Forces, as high as Colonels incluſive, are to have Rank according to their ſeveral reſpective Commiſſions, in like Manner as is already given by his Majeſty's Regulations to the Captains of Provincial Troops in *America*.

The King is further pleaſed to furniſh all the Men, ſo raiſed as above, with Arms, Am-munition and Tents, as well as to order Proviſions to be iſſued to the ſame by his Ma-jeſty's Commiſſaries, in the ſame Proportion and Manner as done to the reſt of the King's Forces; and a ſufficient Train of Artillery will alſo be provided at his Majeſty's Expence, for the Operations of the Campaign: The Whole therefore, that the King expects and requires from the ſeveral Provinces, is, the Levying, Cloathing and Pay of the Men; and on theſe Heads alſo, that no Encouragement may be wanting to the full Exertion of your Force, the King is further moſt graciouſly pleaſed to permit me to acquaint you, that ſtrong Recommendations will be made to Parliament, in their Seſſion next Year, to grant a proper Compenſation for ſuch Expences as above, according as the active Vigour and ſtrenuous Efforts of the reſpective Provinces ſhall juſtly appear to merit.

Although ſeveral Thouſand Stands of Arms will be forthwith ſent from *England*, to be diſtributed to the Troops now directed to be raiſed in the Southern and Northern Provinces; yet, as it is hoped that the Numbers of Men, levied in all Parts of *America*, may greatly exceed the Quantity of Arms that can at preſent be ſupplied from *England*,

it

it is his Majesty's Pleasure, that you do, with particular Diligence, immediately collect and put into the best Condition all the serviceable Arms that can be found within your Government, in order that the same may be employed, as far as they will go, in this Exigency. 1758. *March* 8.

I am further to inform you, that similar Orders are sent by this Conveyance to *Maryland*, *Virginia*, *North-Carolina* and *South-Carolina*.——The Northern Governments are also directed to raise Men in the same Manner, to be employed in such offensive Operations as the Circumstances and Situation of the Enemy's Possessions in those Parts may point out; which, it is hoped, will oblige them so to divide their Attention and Forces, as will render the several Attempts more easy and successful.

It is unnecessary to add any Thing to animate your Zeal in the Execution of his Majesty's Orders on this great Occasion, where the Safety and Preservation of *America*, and of your own Province in particular, are at Stake, and the King doubts not, from your known Fidelity and Attachment, that you will employ yourself with the utmost Application and Dispatch, in this urgent and dangerous Crisis. I am,

Sir, your most obedient humble Servant,

W. PITT."

To the Honourable WILLIAM DENNY, *Esq*; *Lieutenant Governor of the Province of* Pennsylvania.

A Petition from Mr. *Hugh Davey*, of the City of *Philadelphia*, was presented to the House and read, praying to be appointed Collector of the Tonnage and other Duties, to be imposed by the Bill now under Consideration of the House for supporting the Province Ship of War for the Protection of Trade.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Committee to whom the Bill for granting a Duty of Tonnage upon Ships and other Vessels, *&c.* was re-committed, reported, they had essayed some Amendments and Additions thereto, and delivered the same at the Table, which being read, *Post Meridiem*

The House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House took up the Bill for granting to his Majesty a Duty of Tonnage, *&c.* and, having spent some Time thereon, adjourned to Three o'Clock, *P. M.* *March* 9. Adjournment

The House having gone through the second Reading of the Bill for granting to his Majesty a Duty of Tonnage, *&c.* the same was agreed to, and ordered to be transcribed for a third Reading. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Bill for granting to his Majesty a Duty of Tonnage, *&c.* being transcribed, was read the third time. *March* 10.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

Debates arising on a certain Clause in the Bill for granting to his Majesty a Duty of Tonnage, *&c.* after some Time spent therein, they adjourned to Ten o'Clock To-morrow Morning. *Post Meridiem* Adjournment

The Bill for granting to his Majesty a Duty of Tonnage, *&c.* being altered, was again read, and agreed to. *March* 11.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wayne* and Mr. *Saunders* wait upon the Governor therewith for his Assent to the same.

Ordered, That authentic Copies of the late Supply Bills of the Three Lower Counties be procured for the Use of this House, and that Mr. Speaker do issue his Order for obtaining the same from the public Records of the said Counties.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon. Adjournment

The House met, pursuant to their Adjournment. *March* 13.

The Members appointed to wait on the Governor with the Bill for granting to his Majesty a Duty of Tonnage, *&c.* reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would give it all the Dispatch in his Power. *Post Meridiem*

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House taking into Consideration the Secretary of State's Letter, laid before them by the Governor, and his Honour's Message attending the same, *March* 14.

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Masters*, Mr. *Baynton*, Mr. *Melvin*, Mr. *Morton*, Mr. *Carpenter* and Mr. *Yorke* be a Committee to prepare and bring in an Answer to the Governor's Message of the Eighth Instant.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Eighth Instant, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was agreed to by the House, and ordered to be transcribed. *Post Meridiem*

The

1758. *March* 14. The Anſwer to the Governor's Meſſage being tranſcribed accordingly, was ſigned by Mr. Speaker, by Order of the Houſe, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

IT was with Hearts filled with Loyalty and Gratitude to our moſt gracious Sovereign, that we received his Royal Orders for the moſt vigorous and extenſive Efforts for the Defence of his *American* Dominions in general, and of this Province in particular. After the laſt inactive and unhappy Campaign, as well of the King's regular Troops, as of the military Force of this Province, the vigorous Meaſures his Royal Wiſdom is determined to proſecute againſt the common Enemy, cannot but give us the moſt ſenſible Pleaſure. This we eſteem one among many demonſtrative Proofs of his Majeſty's Royal Care and paternal Regard for his Subjects in this Part of his Dominions; and we ſhould think ourſelves wanting in our Duty to the beſt of Kings, did we not embrace this Opportunity to return him our moſt humble and ſincere Thanks for the gracious Protection he hath hitherto afforded us in common with the reſt of his *American* Colonies, and for his mild and paternal Inſtructions, which he hath tranſmitted to us in his Secretary of State's Letter.

We are ſenſible, that Vigour, Unanimity and Diſpatch, in the Colonies, are abſolutely neceſſary to crown, with Succeſs, his Majeſty's Meaſures for their Protection and Defence; and your Honour may aſſure yourſelf, that nothing, on our Parts, which can be expected from the moſt loyal, zealous and faithful Subjects, ſhall be wanting to co-operate with his Majeſty's Forces in their offenſive Operations in theſe Parts of his Majeſty's Dominions.

At the Time your Honour laid before us the Secretary of State's Letter, of the 30th of *December* laſt, we were upon a Bill for granting a Sum of Money to his Majeſty's Uſe, for fitting out the Provincial Ship of War for protecting our Trade, which now lies before you for your Aſſent; and upon his Excellency the Earl of *Loudoun's* Application, had further reſolved, by a Land-Tax, to furniſh the Crown with Seven Hundred Men for the enſuing Campaign; beſides the Forces we judged neceſſary to remain in Garriſon on our Frontiers, referring your Honour to your other Government to complete the Number of Eight Hundred Men, requeſted of you by his Lordſhip: But upon receiving the abovementioned Letter, we are determined to comply with his Majeſty's moſt gracious Demand of this Colony, and to encreaſe that Number, as far as the preſent diſtreſſed Situation of the Province, and Abilities of its Inhabitants, will permit; and we are accordingly preparing a Bill to be preſented to your Honour for that Purpoſe, to which we hope you may be at Liberty to give your moſt hearty Concurrence; not doubting your Honour will think it your Duty to apply to your other Government to exert themſelves on this extraordinary Occaſion.

Signed by Order of the Houſe,

March 14, 1758. THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Owen* and Mr. *Grubb* wait on the Governor, and deliver the foregoing Meſſage to his Honour.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 15. The Members appointed to wait on the Governor laſt Night, with the Anſwer of the Houſe to his Honour's Meſſage, of the Eighth Inſtant, reported, they had delivered the ſame according to Order.

Adjournment. Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe reſumed the Conſideration of the Bill for granting to his Majeſty the Sum of *Eighty Thouſand Pounds*, &c. and, having read Part thereof by Paragraphs, adjourned

Adjournment to Ten o'Clock To-morrow Morning.

March 16. The Houſe went again upon the Conſideration of the Supply Bill; and, after ſome

Adjournment Time ſpent therein, adjourned to Three o'Clock, *P. M.*

Poſt Meridiem. The Houſe took up the Supply Bill, a Part of which was read and conſidered.

The Governor, by *William Peters*, Eſq; ſent down to the Houſe a Copy of the Conference held Yeſterday with *Teedyuſcung*, and other *Indians*, in the Council Chamber, which being read, and ſome Time ſpent in the Conſideration thereof,

Ordered, That Mr. *Norris*, Mr. *Maſters*, Mr. *Strickland*, Mr. *Carpenter*, Mr. *Aſhbridge*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Meſſage to the Governor, upon *Indian* Affairs.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 17. The Committee appointed Yeſternight to draw up and bring in a Meſſage to the Governor on *Indian* Affairs, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read, was agreed to by the Houſe, and ordered to be tranſcribed.

And

And the said Message to the Governor being transcribed, was signed by Mr. Speaker, and is as follows, *viz.* 1758. *March* 17

May it please your HONOUR,

A Message to the Governor from the Assembly.

WE find, by the Minutes of your Conference with *Teedyuscung*, on the Fifteenth Instant, which you were pleased to lay before us Yesterday Afternoon, that far distant Tribes of *Indians* have freely entered into our Alliance, and wait for nothing but the faithful Performance of the Articles of Peace, stipulated on your Part on the Treaty held at *Easton*, to join heartily in the *British* Interest.

On this important Occasion, when the Peace of this and the neighbouring Colonies, and the Success of his Majesty's Arms in the ensuing Campaign, seem deeply interested in your Deliberations, we do assure you, that to effectuate these good Purposes, and strengthen your Hands, we will chearfully contribute every Thing, which can be reasonably expected from us, to confirm the *Indians* in their good Dispositions towards us; and we think it our indispensable Duty to put you in mind of your Promises to them, that we may heartily join in demonstrating our good Faith by our Actions, and making it their true Interest to preserve a perpetual Intercourse and Peace with us, and all other his Majesty's Subjects in *North-America*.

March 17, 1758. *Signed by Order of the House,*

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Smith* and Mr. *Blackledge* wait on the Governor, and deliver the foregoing Message to his Honour.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported, they had delivered the same according to Order. *Post Meridiem*

The House then took up the Supply Bill, and, after some Time spent in the Consideration thereof, recommitted the same to the Committee which brought it in, for the Addition of an explanatory Clause respecting the Mode to be observed by the Assessors in estimating Property.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Committee to whom the Supply Bill was recommitted for an explanatory Clause, reported the same to the House, which was read, and admitted into the Bill. *March* 18.

The Governor, by the Deputy Secretary, sent down to the House a Letter from General *Abercrombie*, dated *March* 15, 1758, with the following verbal Message, *viz.*

" General *Abercrombie*, his Majesty's Commander in Chief in *North-America*, " having signified by his Letter of the Fifteenth Instant to the Governor, received by " Express last Night, that his Majesty's Service requires an Embargo to be forthwith " laid on all Ships and Vessels in this Port, his Honour has accordingly done it. And " I am commanded by his Honour to lay that Letter before you for your immediate " Consideration, and he most earnestly recommends it to you to comply with the Demand " therein made with the utmost Dispatch."

The said Letter from General *Abercrombie* being read, follows in these Words, *viz.*

SIR, *New-York*, *March* 15, 1758.

General *Abercrombie's* Letter to the Governor.

BY circular Letters from Mr. Secretary *Pitt* (bearing Date at *Whitehall*, *December* 30, 1757,) to all his Majesty's Governors on the Continent of *North-America*, from *Pennsylvania* inclusive to the Southward, which Letters arrived here on the Fourth Instant, by the *Squirrel* Ship of War, and were immediately forwarded to you by Express from Lieutenant Governor *De Lancey*, you will find, Sir, that the King having judged proper that the Earl of *Loudoun* should return to *England*, his Majesty, at the same Time, was pleased to appoint me to succeed his Lordship as Commander in Chief of the King's Forces in *North-America*, with the same Powers and Authorities; and you will likewise find, that in Pursuance of that Appointment it was his Majesty's Pleasure, that all his Governors on the Continent should apply to, and correspond with, me, on all Matters relating to the King's Service; in Consequence of which Pleasure so signified to you, and repeated to me, I am to recommend to you to use your utmost Endeavours and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, as large a Body of Men within your Government, as the Number and Situation of its Inhabitants may allow; all which has already been strongly recommended to you by his Majesty's Secretary of State, as likewise several other Matters contained in that same Letter, which, for the Sake of Brevity, I shall avoid repeating, and solely refer myself to, as it is so full, that I do not think it can want any Additions; so far I will venture to go for your further Guidance, as to fix the Number of Provincial Troops, that may be wanted for his Majesty's Service in these Quarters, to Six Thousand, to be furnished by *Virginia*, *Maryland* and *Pennsylvania*, in such Proportions,

1758. and upon the Terms, ſet forth in the above quoted Letter of Mr. Secretary *Pitt*, to his Majeſty's Governors in *North-America*.

March 18. I am, at the ſame Time, to acquaint you, that as it is abſolutely neceſſary for his Majeſty's Service, that an immediate Embargo ſhould be laid on all Ships in the different Ports of the reſpective Provinces in *North-America*; and as you have already been forewarned, that whenever ſuch Directions ſhould be tranſmitted to you by his Majeſty's Commander in Chief in theſe Parts, you ſhould, without any the leaſt Difficulty, comply therewith, I make no Doubt, that upon Receipt hereof you will forthwith publiſh the ſaid Embargo, which is to hold good until ſuch Time as you receive Notice from me to take off the ſame, which you may depend on being tranſmitted to you as ſoon as his Majeſty's Service will allow of it.

I have nothing further to add, but to deſire that you will give me the earlieſt Notice poſſible of the Succeſs you meet with in your Application to your Council and Aſſembly, and what Reſolutions they are likely to come to upon the Subject of the Troops to be raiſed by them, conformable to his Majeſty's Directions, eſpecially as the Seaſon is ſo far advanced, and there is no Time to loſe. I am, with great Regard,

Sir, Your moſt obedient humble Servant,

JAMES ABERCROMBIE.

P. S. The Embargo took Place in this Port Yeſterday."

Adjournment Then the Houſe adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 20. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Governor, by Mr. Secretary, returned to the Houſe the Bill for laying a Duty of Tonnage, *&c.* with his Amendments thereon, which were read, and referred to further Conſideration: The Secretary alſo brought down a written Meſſage from his Honour, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

‘ WHEN I conſider that this Province in a great Meaſure owes its quick Riſe and flouriſhing State to Commerce, and the great Encouragement given to Trade, ‘ I cannot avoid expreſſing my Apprehenſions to you, leſt the Bill lately preſented to me ‘ for laying a Duty on the Tonnage of Veſſels, may prove very injurious to your Conſtituents in its Conſequences. I therefore could have wiſhed you had at leaſt fallen ‘ on Meaſures of laying Taxes that might have come in Aid, and leſſened the Weight ‘ of the Burden, that by this Bill will be impoſed on Trade: However, as you have ‘ conſidered this Matter, and think ſuch a Bill neceſſary, I have ſent it down with ſuch ‘ Amendments as appear to me proper and reaſonable. You will obſerve, that I have ‘ ſtruck out of the Bill ſuch of the Commiſſioners as are Members of your Houſe, who, ‘ I muſt further inform you, have, on ſeveral Occaſions, heretofore, in the Courſe of ‘ their Conduct, as Provincial Commiſſioners, treated me with ſo much Diſregard, that ‘ it is impoſſible I can for the future tranſact any Buſineſs with them.

March 20, 1758. *WILLIAM DENNY.*"

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 21. The Houſe reſuming the Conſideration of the Governor's Amendments on the Tonnage Bill, after ſome Time ſpent therein, adjourned to Three o'Clock, *P. M.*

Adjournment *Poſt Meridiem* The Houſe reſumed the Conſideration of the Supply Bill, which being in Part read, and ſome Time ſpent therein, they adjourned to Ten o'Clock To-morrow Morning.

March 22. The Houſe went again upon the Supply Bill, and, after ſome Debate thereon, adjourned to Three o'Clock, *P. M.*

Adjournment *Poſt Meridiem* The Houſe reſumed the Conſideration of the Supply Bill, and a Difference of Opinions ariſing on particular Clauſes thereof,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Hunt*, Mr. *Strickland*, Mr. *Gibbons*, Mr. *Carpenter* and Mr. *Yorke* be a Committee to reconſider and amend the ſaid Clauſes, agreeable to the Sentiments and Inſtructions of the Houſe, and report the ſame To-morrow Morning.

Adjournment Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

March 23. The Committee appointed to reconſider and amend certain Clauſes in the Supply Bill, reported, they had made an Eſſay for that Purpoſe, which they delivered at the Table, and the ſame being read, were agreed to by the Houſe, and admitted in the Bill.

The Governor, by *James Young*, Eſq; Paymaſter of the Provincial Forces, ſent down to the Houſe a Copy of the Minutes of a Conference held Yeſterday, in the Council Chamber, with *Teedyuſcung*, &c. and a written Meſſage to the Houſe, which being read, follows in theſe Words, *viz.*

GENTLE-

1758.

GENTLEMEN,

'I LAY before you the Minutes of Yesterday's Conference with *Teedyuscung*. You will find, at the Close, he reminded me of the Promises made to him at *Easton*, of an Allowance for Ministers and School-Masters, for the Use of the *Indians*, when they should be settled at *Wyoming*; and has now made a further Request, that two Persons might be allowed them, for the Management of their Affairs in general. As they only stay in Town to receive my Answer, I desire you will enable me, as soon as may be, to give them a satisfactory One, that our friendly *Indians* may see the Government does not refuse them any reasonable Request.

March 23, 1758. *WILLIAM DENNY*."

March 23. A Message from the Governor to the Assembly.

The House taking the above Message from the Governor, and the Minutes of Yesterday's Conference, into Consideration, after some Debate thereon,

Ordered, That Mr. *Hughes* and Mr. *Plumsted* wait on the Governor, and acquaint him, that the House being of Opinion, that the Requests of the *Indians*, contained in his Honour's Message, are of very great Importance to his Majesty's *American* Service in general, and to the Safety and Interest of this Province in particular, they incline to reconsider the *Indian* Bill lately offered to the Governor, and send it up again for his Assent, as the only Means in their Power of enabling the Governor to comply with his Promises to the said *Indians* at *Easton*, as well as with the Requests they have since made of this Government.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Members appointed to wait upon the Governor with the Message of the House, reported, they had delivered the same, according to Order; and that his Honour was pleased to say, it was very well. *Post Meridiem*

The House then taking into Consideration his Majesty's Royal Orders, signified to them by the Secretary of State's Letter, and being sincerely disposed to comply with the same to the utmost of their Abilities,

Resolved, That immediate Provision be made for Raising, Paying and Cloathing Two Thousand Seven Hundred effective Men, Officers included, to act in Conjunction with a Body of his Majesty's *British* Forces, and the Forces of *Maryland*, *Virginia*, and the Lower Counties on *Delaware*, in such offensive Operations as shall be carried on and prosecuted by his Majesty's Commander in Chief, in these Parts, during the ensuing Campaign.

Resolved, That the Men already raised, and in the Pay of this Government, be a Part of the Number to be furnished by the foregoing Resolve.

Resolved, That it is the Opinion of this House, that there be allowed to each able-bodied Man, entering voluntarily into the said Service, the Sum of *Five Pounds*, as a Bounty for his Enlistment.

Resolved, That it is the Opinion of this House, that there be allowed to each Officer, properly authorized, the Sum of *Twenty Shillings* for each able-bodied Volunteer he shall enlist into the said Service.

Then the House adjourned to Three o'Clock To-morrow Afternoon. Adjournment

March 24.

Upon Motion,

That a Copy of the Resolves of Yesterday be made out, and sent to the Governor, and that a Message to his Honour, upon the said Resolves, be wrote to accompany them, together with another short Message, respecting the Release of our suffering Fellow-Subjects, in Captivity with the *Indians*, the same were accordingly done; and the said Messages being read, were agreed to by the House, signed by Mr. Speaker, and are as they respectively follow, *viz.* *Post Meridiem*

May it please your HONOUR,

WE his Majesty's faithful and loyal Subjects, the Representatives of the People of this Province, taking into our Consideration the Demands of our most gracious Sovereign, and being sincerely disposed to comply with them to the utmost of the Abilities of this young Colony, and conscious that we cannot do his Majesty, and the good People of this Province, a more effectual Service, than by joining with Vigour and Resolution in the offensive Operations, planned by our Sovereign for the Protection and Defence of his *American* Subjects, have chearfully agreed to raise, clothe and pay Two Thousand Seven Hundred Men for this great and necessary Purpose, in full Hope that, under the Blessing of divine Providence, his Majesty's Arms will be crowned with Success, and Peace be once more restored to this unhappy and distressed Province. A Message to the Governor from the Assembly.

In doing this, we have not so much attended to the Poverty and Inability of our Constituents, as to their present imminent Danger, the Necessities of the Times, and the great Prospect there is of relieving them from their present unhappy Circumstances by one united and vigorous Effort. And therefore, animated with a Zeal for the Execution of his Majesty's Orders, in which the Safety of this Colony, and the Preservation of

America,

1758. *March* 24. *America*, are ſo intimately concerned, we have agreed to furniſh on this intereſting and important Occaſion, more Men than a full Share, according to the Proportions required of this Province, *Maryland* and *Virginia*, notwithſtanding the Country has been drained of its ſingle Men (our Servants not excepted) by the great Numbers that have been enliſted into his Majeſty's Service, and many others that have entered on board the Privateers of this and the neighbouring Provinces.

It is alſo the Opinion of this Houſe, that *Five Pounds* be given as a Bounty to every able-bodied Man that ſhall voluntarily enter into the Service of the Province, and *Twenty Shillings* to the Officer for every ſuch Man he ſhall enliſt.

The Houſe, earneſtly ſolicitous that this Province may be diſtinguiſhed among the Colonies for its Loyalty, Ardour and Zeal, in promoting ſo great an Undertaking for the Defence and Preſervation of *America*, beg Leave to recommend it to your Honour, that you would exert your utmoſt Endeavours, and leave no Method uneſſayed, that may tend to raiſe the Men in ſuch Time, that they may be ready to march to the Place of Rendezvous by the Firſt of *May*, agreeable to his Majeſty's Royal Orders: To accompliſh which, we apprehend nothing can ſo effectually contribute, as a ſtrict and ſpeedy Compliance on your Part with his Majeſty's wiſe and gracious Commands, in "iſſuing Commiſſions to ſuch Gentlemen of the Province, as ſhall be judged from their "Weight and Credit with the People, and their Zeal for the public Service, may be "beſt diſpoſed and enabled to quicken and effectuate the ſpeedy Levying of the greateſt "Number of Men."—— We know from Experience, on the one Hand, that unleſs the Officers are ſuch as are agreeable to the People, no Bounty that the Province is able to pay will procure the Number of Men wanted in Time; and on the other, if his Majeſty's Royal Command is purſued, it will greatly "facilitate this important Service."

March 24, 1758. *Signed, by Order of the Houſe,*

THOMAS LEECH, *Speaker.*"

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

WE beg Leave to obſerve, that by the Minutes of the Conferences laid before us from Time to Time, ſince the Treaty of *Eaſton*, it does not appear that any effectual Meaſures have been taken to recover our Fellow-Subjects from the Captivity they are under with the *Indians*, with whom a Peace has been long ſince concluded, nor even to remind them of their Engagements to reſtore them. We therefore think it our Duty to recommend it to your Honour, before the *Indians* depart from this City, to make ſome Enquiry after the Captives, and to take ſuch Meaſures as ſhall be moſt likely to reſtore them to their Country, Families and Friends. We alſo think it abſolutely neceſſary for the Welfare of this Province, and the Promotion of his Majeſty's *Indian* Intereſt in *America*, that a friendly and kind Invitation ſhould be given to the Chiefs of each of the eight Tribes of *Indians*, that have, by a late Meſſenger, ſhewn an Inclination to enter into an Alliance with his Majeſty, and to take up Arms againſt his Enemies, that ſome of them would, when it was convenient to them, take an Opportunity of viſiting this Government, and further ratifying the great Work of Peace, ſo happily begun, and now almoſt perfected. The good Effects this Province has already felt, and his Majeſty's Intereſt in general is like to receive from the late Conferences with them, are ſuch Proofs of the good Policy of ſuch an Invitation, that we hope we need not add any Thing further to enforce it.

March 24, 1758. *Signed, by Order of the Houſe,*

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Wayne* and Mr. *Plumſted* wait on the Governor therewith, and deliver the ſame.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 25. The Members appointed to wait on the Governor with the two Meſſages of laſt Night, and the Reſolves of the Houſe, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he received them very kindly.

The Committee appointed to reviſe and continue the Act for extending ſeveral Sections of an Act of Parliament, *&c.* reported, they had made an Eſſay for that Purpoſe, which they delivered at the Table, and the ſame being read the firſt time, was ordered a ſecond Reading.

The Remonſtrance of *Samuel Preſton Moore*, Eſq; Provincial Treaſurer, was preſented to the Houſe, read, and referred to further Conſideration.

An Addreſs from the Truſtees and Treaſurer of the *Friendly Aſſociation for regaining and preſerving Peace with the* Indians, *by pacific Meaſures*, was preſented to the Houſe and read, offering the Loan of a Sum of Money to the Government, for defraying Expences incurred by ſome late Conferences with *Teedyuſcung*, &c. and ſuch other Expences as may hereafter ariſe in negotiating *Indian* Affairs, till further Supplies ſhall be granted for the public Service.

And

And the said Address being considered, 1758.
Ordered, That the Thanks of this House be given to the said *Friendly Association*, for their seasonable and generous Offer. *March* 25.

Resolved, That this House do recommend to the Provincial Commissioners to borrow of the said *Friendly Association* such Sum or Sums of Money as may be sufficient to answer the present *Indian* Demands; and that they (the Representatives) will use their Care and Endeavours to secure the Repayment thereof, when further Supplies shall be granted for defraying the Expences of the current Year.

The House then resumed the Consideration of the Supply Bill; and, after some Time spent therein,

Resolved, That the Sum of *One Hundred Thousand Pounds* be given to his Majesty's Use, for defraying the Expences of the current Year.

A Petition from sundry Inhabitants of the City and County of *Philadelphia* was presented to the House and read, praying to be nominated Signers of the Paper Currency to be emitted by the Bill for that Purpose now under Consideration of the House.

The Supply Bill having been read the second time, and considered by Paragraphs, was agreed to, and ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon. Adjournment

Mr. Speaker and several of the Members met, pursuant to Adjournment; but one more being wanted to make a Quorum, they adjourned to Ten o'Clock To-morrow Morning. *March* 27. *Post Meridiem* Adjournment

Mr. Speaker with several of the Members met again, pursuant to Adjournment; but one more being still wanted to complete a Quorum, *March* 28.

Ordered, That Mr. *Norris* and Mr. *Pearne* have Notice, by a special Messenger, to give their Attendance this Afternoon.

The Members then adjourned to Three o'Clock, *P. M.* Adjournment

The Members met, pursuant to their Adjournment, and a Quorum now appearing, the Bill for granting the Sum of *One Hundred Thousand Pounds* to the King's Use, was read the third time. *Post Meridiem*

The Governor, by Mr. Secretary, sent down to the House two written Messages, with some Papers therein referred to, and the said Messages being read, are as they respectively follow, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I HAVE ordered the Secretary to lay before you Extracts of Letters I lately received 'from Brigadier General *Forbes*, containing Demands of several important Matters 'to be done by this Province, for the facilitating and forwarding the Expedition to the 'Westward, and earnestly recommend it to you to take the same into your Consideration, 'and make speedy Provision for this necessary Service.

'The Mayor has acquainted me, that Quarters are demanded for One Thousand and 'Seventy-two Men, including Forty Officers; of which Two Hundred and Twelve are 'already in Town, and the rest expected in a Day or two. As the Public-houses in the 'City and Suburbs cannot at most contain more than Six Hundred, I desire you would 'be pleased to give Directions that the Barracks be forthwith made ready, and furnished 'with such Necessaries as are required in Quarters, and particularly that a proper Quan-'tity of Straw and Wood be ready against the Arrival of the other Troops.

'Some Time ago I desired one of your Members to acquaint the House, that the Act 'for Quartering of Soldiers would expire at the End of this Sessions, that it might be 'renewed; and I now remind you that this is the Case with respect to the Act for re-'gulating Carriages, to be employed in his Majesty's Service. A Number of Waggons 'will be wanted for the Expedition, which will make it necessary for you to fix the 'Prices of Carriages and Horses, without confining the Hire, as in the late Act, to the 'inhabited Parts of the Province, or limiting it to a Day, or any certain Time.

'Many of the Arms given to the Provincials being very bad, and unfit for Use, I pro-'pose to supply them out of the public Magazine in this City, and desire you would 'make Provision for the Expence that will attend the Carriage of them.

March 28, 1758. *WILLIAM DENNY.*"

GENTLEMEN,

A Message from the Governor to the Assembly.

'BEFORE I received your Message of the Twenty-fourth Instant, in Answer to 'mine of the Day before, I intended to have spoke to *Teedyuscung*, and to have taken 'my Leave of him in public; but, on his acquainting me that the Messengers had heard 'of the Arrival of some Parties of *Cherokee* Warriors in *Virginia*, and were uneasy to be 'dispatched, that they might put the *Indians* who sent them on their Guard, with re-'spect to these Parties, I did not think it proper to detain them for a formal Con-'ference, but gave them my Answer as soon as it could be got ready.

1758. *March* 28.

'You will see by the Minutes now laid before you, that I reminded *Teedyuſcung* of the 'Priſoners remaining among the *Indians*, aſſuring him it would give great Satisfaction to 'me, the Council, Aſſembly, and all the People of the Province, to ſee as many of them 'brought here as was poſſible. This I ſaid in the Preſence of the Meſſengers, and other '*Indians*. To himſelf much more was ſaid, intending it ſhould likewiſe be ſaid in their 'Preſence; but he adviſed me to the contrary, telling me that theſe Meſſengers would 'return inſtantly with agreeable Anſwers from the *Indians*, and till then no more need 'be ſaid, and it would do more Harm than Good.

'No Opportunity has offered, ſince the Treaty of *Eaſton*, for my taking any Meaſures 'reſpecting the Reſtoring of the Priſoners, more than reminding *Teedyuſcung* of his En-'gagements on this Account, which I have not failed frequently to do, though not 'formally, as that would have anſwered no Purpoſe. The very firſt Opportunity that 'offers with theſe or any other *Indians*, ſhall be very heartily embraced, and the Matter 'urged upon them with all the Zeal and Care in my Power.

'Not knowing how far an Invitation to the Chiefs of theſe eight Tribes of *Indians*, 'who it ſeems live at great Diſtances from one another, might interfere with the Meaſures 'taken by his Majeſty's Commander in Chief, or Sir *William Johnſon*, the Superintendant 'of *Indian* Affairs in this Diſtrict, I have not ventured to make it; but have tranſmitted 'to the General Copies of the Conferences, and of your Meſſage, and mentioned the Ad-'vantages that would ariſe from ſuch Invitation, deſiring his Advice therein.

'I have likewiſe diſpatched a Meſſenger to Colonel *Waſhington*, or the commanding 'Officer of the *Virginia* Forces, at *Wincheſter*, with an Account of theſe Conferences, and 'the good Diſpoſition of the *Indians*, and deſired it might be forthwith communicated to 'the *Cherokees*, and they be requeſted to have Regard thereto in their future Excurſions.

March 28, 1758. *WILLIAM DENNY.*"

The Papers delivered by Mr. Secretary, with the foregoing Meſſages, were Extracts from General *Forbes's* Letters to the Governor, of the Twentieth and Twenty-third of this Inſtant; requeſting that the Forces raiſed in this Province, for the King's Service, be able-bodied Men, furniſhed with the beſt Arms to be procured in the Province; and that as many as may be, of the ſaid Forces, be Carpenters, and good Ax-Men: Likewiſe, that this Government would ſupply Fifty good Men, well mounted, upon tight, ſerviceable Horſes, and every way accoutred, to ſerve in Conjunction with thoſe to be furniſhed by the other Provinces, as a Body of Light Horſe, from whom very important Service may be expected.

Alſo a Meſſage delivered to Mr. Secretary, for the Governor, by *Teedyuſcung*, requeſting his Honour would diſpatch the Meſſengers who came down with him, back to the *Indians*, with the good News of what has been done here, and that other Meſſengers be ſent immediately to the *Cherokees*, to inform them of the Alliance concluded with eight more *Indian* Tribes, living near, and ſome even among the *French*.

And laſtly, a Copy of the Minutes of a Conference held with *Teedyuſcung*, at the Governor's Houſe, on *Saturday*, the Twenty-fifth of this Inſtant.

Adjournment

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

March 29.

The Supply Bill being read the third time, and the Commiſſioners Names inſerted,

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Morton* and Mr. *Carpenter* wait on the Governor therewith for his Aſſent to the ſame.

The Committee appointed to reviſe and continue the Bill for regulating the Hire of Carriages, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read the firſt time, was ordered a ſecond Reading.

The Members appointed to wait on the Governor with the Supply Bill, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, as it was a Bill of great Conſequence, he would take it into immediate Conſideration, and give it all the Diſpatch in his Power.

The Governor, by Mr. Secretary, ſent down the following verbal Meſſage to the Houſe, *viz.*

" That Colonel *Haldimand* had waited on his Honour, and requeſted an Hoſpital for " a Number of ſick Soldiers, ordered to this City, Twenty-five of whom are already ar-" rived, and in immediate Want thereof, and the reſt expected To-morrow: Alſo Quar-" ters for a Body of his Majeſty's Troops coming here in a few Days, whom all the Pub-" lic-houſes in the City and Suburbs have not ſufficient Room to accommodate: That " his Honour had applied to the Mayor to provide an Hoſpital for the ſaid Purpoſe; but " he being unable to procure the ſame, the Governor now recommends the Proviſion of one " to the Houſe, and that they would alſo give Orders to have the Barracks made ready, " and furniſhed with proper Quantities of Straw and Wood, for Quartering the ſaid " Troops."

Reſolved, That this Houſe do recommend to the Provincial Commiſſioners to make Proviſion

Provision of an Hospital, and Quarters for his Majesty's Troops, agreeable to the Demand of Colonel *Haldimand*, and Recommendation of the Governor. 1758.

Then the House adjourned to Three o'Clock, *P. M.* *March* 29. Adjournment *Post Meridiem*

The Bill for continuing an Act for extending several Sections of an Act of Parliament, passed in the Thirty-first Year of the present Reign, entituled, *An Act for the Punishment of Mutiny and Desertion*, &c. being read the second time, was agreed to, and ordered to be transcribed.

The Committee appointed to revise the Act for regulating the Officers and Soldiers commissionated and raised by the Governor for the Defence of this Province, reported, they had examined the said Act, found it was expired, and were of Opinion the same ought to be renewed: Whereupon the said Bill being twice read, was ordered to be transcribed for a third Reading.

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Morton* and M. *Yorke* be a Committee to alter and amend the Bill for regulating the Hire of Carriages, to be employed in his Majesty's Service, and to report the same to the House To-morrow Morning.

A verbal Message to the Governor from the Assembly:

"The House, desirous that the Waggons and Carriages which may be expected of "this Province by his Majesty's Commander in Chief, for carrying on and facilitating "the Expedition to the Westward, should be procured in due Time, and with as much "Ease and Conveniency to the Inhabitants as possible, recommend it to the Governor to "write to Brigadier General *Forbes*, that he may acquaint the Governor in Time with "the Number of Waggons, Carriages and Horses that will be wanted, and that his Ho-"nour would, as soon as Notice be given to him thereof, take the necessary Steps, and "employ such Persons, who, from their Weight and Influence with the People, can "procure them with Expedition, and will chearfully undertake that Service, if requested "by the Governor."

Ordered, That Mr. *Wayne* and Mr. *Plumsted* wait on the Governor with the said verbal Message, and deliver the same.

The Accounts of Mr. *Joseph Armstrong*, for Provisions, *&c.* purchased by him for the Use of General *Braddock's* Forces, by Order of a former Assembly, were laid before the House, read, and referred to the Committee of Accounts, to consider and report the Commissions, which it may be reasonable to allow thereon to the said *Armstrong*, for his Trouble in that Service.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment *March* 30.

The Members appointed to wait on the Governor with the verbal Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he was much obliged to the House for their Message, that it was impossible for him to tell what Number of Carriages and Horses might be wanted for the Expedition to the Westward, but he would not fail to write to General *Forbes*, for Information in that Point, at Ten o'Clock this Forenoon, by the Post.

The Committee appointed to bring in the Bill for regulating the Hire of Carriages, reported, they had essayed the Alterations directed by the House, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Bill for regulating the Officers and Soldiers, commissionated and raised by the Governor for the Defence of this Province; and the Bill for extending several Sections of an Act of Parliament, passed in the Thirty-first Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army in their Quarters*, being both transcribed, and read the third time,

Resolved, That the said Bills do pass.

Ordered, That Mr. *Hughes* and Mr. *M'Connaughy* wait on the Governor therewith for his Assent to the same.

The Members appointed to wait on the Governor with the said two Bills, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take them into Consideration, and give them all the Dispatch in his Power.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

The House resumed the Consideration of the Bill for regulating the Hire of Carriages, *&c.* which being in Part read by Paragraphs, and debated, they adjourned to Ten o'Clock To-morrow Morning. Adjournment *March* 31.

The House resumed the Consideration of the Bill for regulating the Hire of Carriages, and having spent some Time therein, ordered the same to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment *Post Meridiem*

Mr. *Galloway*, having obtained Leave of the House, brought in a Bill, entituled, *An Act for preventing Abuses in the* Indian *Trade*, &c. which he delivered at the Table, and the same being read the first time, was ordered a second Reading.

The House then taking into Consideration Brigadier General *Forbes's* Request of Fifty good Men, well mounted, on tight, serviceable Horses; and that the Roads may be repaired and widened, for the better passing of Carriages; after some Time spent therein,

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1758. *March* 31. a Meſſage to the Governor was wrote at the Table, ordered to be tranſcribed, and follows in theſe Words, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

THE Houſe, taking into their Conſideration your Honour's Meſſage of the Twenty-eighth Inſtant, and the Requeſt made by Brigadier General *Forbes*, and being ſincerely deſirous that every Meaſure may be taken that may tend to expedite and facilitate the important Operations now carrying on againſt our common Enemy, beg Leave to recommend it to your Honour, that you would comply with the General's Requeſt, in furniſhing him with "Fifty good Men, well mounted, on tight, ſerviceable Horſes," out of the Men directed to be raiſed by the Bill now before you; and that you would forthwith iſſue your Orders to the Sheriffs of the ſeveral Counties, directing them to give Notice to the Overſeers of the Roads, where the King's Troops are likely to march, to amend ſuch of them as are in the interior Parts of the Province, and to widen and repair the Road from *Lancaſter*, leading towards *Williams's* Ferry, on *Potomack*, fit for the Carriages of Cannon, *&c.* agreeable to the General's Directions: And that the ſame may be done in Time, we apprehend it will be expedient, that Orders ſhould be given to a proper Number of the Troops, in the Pay of the Province, to aſſiſt in this neceſſary Work, in the County of *Cumberland*, as many of its Inhabitants have been driven from their Plantations. And, with reſpect to Carpenters and Ax-Men, we are informed there are many among the Men already in the Province Service; but ſhould it, on Enquiry, prove otherwiſe, we doubt not your Honour will take the neceſſary Steps to procure them.

We have now before us a Bill for regulating the Hire of Carriages, which we expect will be preſented To-morrow to your Honour for your Approbation."

And the ſaid Meſſage being ſigned by Mr. Speaker,

Ordered, That Mr. *Trimble* and Mr. *Saunders* wait on the Governor, and deliver the ſame.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 1. The Members appointed to wait on the Governor with the Meſſage of laſt Night, reported, they had delivered the ſame according to Order.

The Petition of *George Adam Gamelin* was preſented to the Houſe and read, praying an Amendment of the Law paſſed in the Eighth of GEORGE, allowing the Privilege of a ſpecial Court to a Defendant, who, by Reaſon of his ſudden Departure out of this Province, ſhall require a ſpeedy Determination of his Suit, upon a Petition to the Court.

Referred to further Conſideration.

The Bill for regulating the Hire of Carriages to be employed in his Majeſty's Service, being read the third time, and compared at the Table,

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor therewith for his Aſſent to the ſame.

The Houſe then took up the *Indian* Trade Bill, which being read the ſecond time, and debated by Paragraphs, was agreed to, and ordered to be tranſcribed.

Adjournment. Then the Houſe adjourned to *Monday* next, at Four o'Clock in the Afternoon.

April 3. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem The Governor, by the Secretary, ſent down the Bill for granting the Sum of *One Hundred Thouſand Pounds* to his Majeſty's Uſe, *&c.* with Amendments: Alſo the Bill for extending ſeveral Sections of an Act of Parliament, paſſed in the Thirty-firſt Year of the preſent Reign, entituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army, and their Quarters*, with one Amendment thereon: Likewiſe the Bill for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province, with a verbal Meſſage, that his Honour was ready to paſs the two laſt mentioned of the ſaid Bills, whenever preſented to him for that Purpoſe.

Mr. Secretary further delivered, with the ſaid Bills and Amendments, a written Meſſage from the Governor to the Houſe, which was read, and follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I HAVE conſidered the Bill *for granting to his Majeſty the Sum of* One Hundred Thouſand Pounds, *and for ſtriking the ſame in Bills of Credit, and for providing a Fund for ſinking the ſaid Bills of Credit by a Tax on all Eſtates real and perſonal, and Taxables within this Province*, and have given it all the Diſpatch which the Length and Importance of it would admit of, and now return the Bill to you, with a few Amendments.

'You will find that I have ſtruck out ſuch Parts as relate to the Aſſeſſing and Taxing the Proprietary Eſtate in common, and in the ſame Mode with the reſt of the Inhabitants of this Province. You are not, however to underſtand by this, that I mean or wiſh to exempt their Eſtate from being taxed. This is what they themſelves do not

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'desire. On the contrary, they are willing that every Tract of Land within the Province, surveyed and appropriated for their Use, should bear an equal and proportionable Share of any Burdens that may be imposed on the People in the necessary Defence of this and his Majesty's other Colonies. By the Bill the Estates of the People are to be rated and assessed by Assessors elected by them for that Purpose. This Mode you think a very equitable one, and that it would be unreasonable that the People should be taxed by any others than such as they chuse and approve of. I conceive, Gentlemen, the same Justice is due to your Proprietaries, and that it would be equally unreasonable their Estate should be assessed and valued by Persons in whose Nomination or Appointment they or their Deputy have not the least Share. This would be to exclude them from the Rights and Advantages you think ought to be granted to the meanest of his Majesty's Subjects. I should have amended the Bill on the above Plan, with regard to the Taxation of the Proprietary Estate, and proposed Commissioners to be inserted for that Purpose, had I not been apprehensive that it might have retarded the Passing it at a Time when our Duty to our gracious Sovereign, ourselves and our Country require it should not be delayed a single Moment. But I now offer you, that, if a separate Bill of this Sort is approved of by you, I will, on my Part, chearfully concur with you in it.

'Having, in my Message to you of the Twentieth of last Month, relating to the laying a Duty on Tonnage, *&c.* objected to five of the Commissioners named therein, and declared to you, that they had, on several Occasions heretofore, in the Course of their Conduct, as Provincial Commissioners, treated me with so much Disregard, that it was impossible I could for the future transact any Business with them, I cannot but express my Astonishment to find that they are, notwithstanding, named as Commissioners in this Bill. I would fain hope, Gentlemen, this was not intended to obstruct the Passing a Bill so necessary at this critical Juncture. It is with great Reluctance I am once more obliged to inform you, that I never can consent to their being again appointed Provincial Commissioners. Besides their extraordinary Behaviour towards me, and the strong Objection I have often urged against appointing any of your own Members to be Commissioners, I must acquaint you that they, on several Occasions, have laid out and expended divers Sums of the Money heretofore given, by Act of the Legislature, to his Majesty's Use, without previously obtaining my Consent, or even consulting me, which was a manifest Violation of their Trust, and expressly contrary to the Directions of the Law. They have, moreover, had Meetings among themselves, without summoning or giving Notice to Mr. *Lardner* and Mr. *Mifflin*, their Brother Commissioners, who are first named in the Law, and had equal Power and Trust with them. They have likewise neglected to inform me of the State of their Accounts, or how they have applied the King's Money, though I long since demanded it of them; so that I know not to this Day in what Manner it has been expended, or what new Contracts may have been made by them. At the late Treaty held at *Easton*, wherein Peace was concluded with the *Indians*, being informed that they had bought, with the Money given for his Majesty's Use, a Parcel of Goods, and brought them to that Place to be disposed of in Presents to the *Indians*, I demanded of them a List of such Goods, and the Amount of them, that I might be enabled therefrom to form a better Judgment how to conduct myself towards the *Indians*, or what Expectations to give them on an Occasion so interesting to his Majesty and this Province; in Answer to which they were pleased to tell me, that they would, in due Time, prepare and lay before me a List of such Goods. This, however, was delayed a long Time, and was all the Satisfaction I could obtain from them, till after the Conclusion of the Treaty. Under these Circumstances, I should be inexcusable to his Majesty, and the Public, in vesting, with new Powers, Persons who, in so many Instances, have acted in direct Opposition to their Duty prescribed by the Law by which they were appointed; I am therefore under the disagreeable Necessity, Gentlemen, of insisting, that you insert in the Bill some other Persons, in their Stead, well qualified for so high a Trust, which, in so populous a Country as this is, I presume you can be at no Loss to do.

'I shall have Regard to the General's Request, of furnishing him with Fifty Light Horse, out of the Men directed to be raised by the Bill, as soon as that Bill shall be passed into a Law, and hope you will give it all possible Dispatch, as the Season for Action is advancing very fast. The several Matters requested by you in your Message of the Thirty-first of last Month, shall have my particular Attention.

April 3, 1758. *WILLIAM DENNY.*"

The Governor's Amendments on the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. together with the single One on the Bill for extending several Sections of an Act of Parliament, passed in the Thirty-first Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion*, &c. being read,

The House adjourned to Ten o'Clock To-morrow Morning. Adjournment *April* 4.

The House resumed the Consideration of the Governor's Amendments on the Bill for granting

1758. *April* 4. granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, &c. and, after ſome Time ſpent therein, the following Queſtion was put, *viz.* Whether the Clauſe in the ſaid Bill, taxing the Proprietary Eſtate in common with the other Eſtates of this Province, ſhall be continued as a Part thereof?——And the ſame was reſolved in the Affirmative by a great Majority.

Adjournment *Poſt Meridiem*. Then the Houſe adjourned to Three o'Clock, *P. M.*

The Bill for preventing Abuſes in the *Indian* Trade, *&c.* being tranſcribed, was read the third time, and compared at the Table.

Reſolved, That the ſaid Bill do paſs.

The Houſe then reſumed the Conſideration of the Governor's Amendment on the Bill for extending ſeveral Sections of an Act of Parliament paſſed in the Thirty-firſt Year of the preſent Reign, entituled, *An Act for puniſhing Mutiny and Deſertion*, &c. and having anſwered the ſaid Amendment, by inſerting a few Words in the Bill,

Ordered, That Mr. *Grubb* and Mr. *Hunt* wait upon the Governor with the ſaid Bill, and the Bill for preventing Abuſes in the *Indian* Trade, *&c.* for his Honour's Aſſent to the ſame.

Adjournment *April* 5. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

The Members appointed to wait on the Governor with the two Bills ſent up laſt Night, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take the ſaid Bills into Conſideration, and give them all the Diſpatch in his Power.

The Committee of Accounts, to whom the Conſideration of Mr. *Joſeph Armſtrong's* Account had been referred by the Houſe, reported thereon as follows, *viz.*

"WE, your Committee, having examined the within Accounts, find a Balance due to Mr. *Joſeph Armſtrong*, of *Five Pounds Ten Shillings* and *Nine-pence*, and are of Opinion, he ought to be allowed a Commiſſion of *Two and an Half per Cent*, on the whole Sum, amounting to *Forty Pounds Nine Shillings* and *Three-pence*, which we, however, ſubmit to the Houſe.

DANIEL ROBERDEAU, RICHARD PEARNE."
JOSEPH FOX,

Five of the Provincial Commiſſioners, Members of Aſſembly, having taken Notice of ſundry Charges exhibited againſt them in the Governor's Meſſage of the Third of this Inſtant, and having thereon deſired and obtained Leave of the Houſe to bring in a written Defence or Vindication of their Conduct againſt the ſaid Charges; the ſame was accordingly drawn up, delivered at the Table, and being read, follows in theſe Words, *viz.*

The ANSWER of five of the PROVINCIAL COMMISSIONERS, *to the ſeveral Charges made againſt them to the Houſe in the* GOVERNOR'S *Meſſages.*

Mr. SPEAKER,

Anſwer to the Charges of the Governor againſt five of the Provincial Commiſſioners

WE thankfully acknowledge the Juſtice of this Houſe, in giving the Provincial Commiſſioners the Liberty of making their Defence againſt the unjuſt Charges and Accuſations contained in the Governor's Meſſage of the Third Inſtant; and beg Leave, in Vindication of our injured Reputations, to remark thereon.

Firſt, in general, that the Governor has not ventured, with all his Heat and private Reſentment againſt us, to accuſe us with appropriating any Part of the Public Money to our own Uſes, and not to Purpoſes directed by the Law, and for his Majeſty's Service, nor even that we have drawn Orders for any improper Services whatſoever. Had we in the leaſt Degree failed in this eſſential Part of our Truſt, no one can doubt but his Honour would with the ſame Pleaſure have exhibited it againſt us, as a Part of our Charge. But it is with Satisfaction that we can, from a conſcious Senſe of a faithful, induſtrious and honeſt Diſcharge of our Duty, call on the Governor, and every of his Council, who are concerned with him in this wicked Attempt to injure our Reputations, to point out a ſingle Inſtance of ſuch a Breach of Truſt. Until this ſhall be done, we reſt ſatisfied, that by this Houſe, and the honeſt and impartial Part of Mankind, we ſhall be deemed groſsly injured in our public Characters, and unjuſtly accuſed.

The firſt Charge exhibited againſt us is, "that we had, on ſeveral Occaſions, in the "Courſe of our Conduct as Provincial Commiſſioners, treated him with ſo much Diſ"regard, that it was impoſſible he could for the future tranſact any Buſineſs with us." We humble conceive, that in every Place where Juſtice is not an entire Stranger, it is a fixed and invariable Rule, that every Charge, even againſt an Individual, and much more a public Body, ought to be made with that Preciſion and Certainty, that he may with Safety anſwer, and, if innocent, be capable of refuting it; and that it ſhould be fully proved by ſomething more than mere Aſſertion. But how widely has the Governor ſtrayed from theſe eſſential Rules of Juſtice! This Charge is a general one, and points

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out no particular Fact to which we can answer, does not assert the Manner in which we have "treated him with Disregard," and stands supported by his Assertion only, which we apprehend ought not in the least Degree to affect the Reputation of any Person whatsoever. General Charges are like Stabs in the Dark, which the most innocent Man, or skilful Swordsman, cannot guard against or parry, as he cannot know at what particular Part the Lunge will be made. What the Governor means by our "treating him with Disregard," we cannot conjecture. In our public Conduct we are conscious that we have never been guilty of this high Offence, unless a conscientious Discharge of our Duty to the People, and the Trust they had reposed in us, and therein differing in Sentiments with the Governor on sundry Occasions, may be termed so. By the Law appointing us Provincial Commissioners, we had a Right, nay, it was our Duty to dissent from the Governor in every Matter, in which we apprehended he did not pursue the Country's Interest and Welfare. Indeed this was the very Design of our Appointment, otherwise there could be no Use in appointing Commissioners at all. That we have repeatedly, from a sincere Regard for the People's Interest, differed in Sentiments from the Governor, and refused to defray the Expence of many Projects, which we conceived could answer no useful Purpose, and were rather calculated to squander the Public Money entrusted to our Care, than do the Public Service, we acknowledge. Numerous Instances of this Kind might have been given by the Governor, had it suited his Purpose. A few of them at present we think it our Duty to mention.

The Governor, on the Thirteenth Day of *May* last, did request, that we would defray the Expence of erecting a Fortification at *Ray's-Town*, "to be garrisoned with "500 Men, in the Pay of the Province." When we considered the advanced Situation of this Place towards the Enemy, its great Distance from the inhabited Parts of the Province, the vast Sum of Money which must be necessarily expended in erecting a Fortification there, the Expence of escorting Provisions to support 500 Men, and the great Difficulty of defending it when finished, we rejected the Proposal,—as it was manifest it would require more Money than was at that Time subject to our Draughts for defraying the whole Expence of the Year, and could only serve to waste the public Money, answer the private Purposes of Individuals, and to load the Country with a Debt it could not possibly bear. We have also thought it our Duty to refuse to comply with the Governor's earnest Request, of throwing into the Hands of the Military Officers Sums of Money, from Time to Time, to be disposed of by them as they should think proper, without ever knowing to what Use they were to be appropriated: This we apprehended we could not answer to ourselves, nor the Public, as it would be giving up that Share in the Disposition of the Money the Law invested us with, which would be a Violation of our Trust indeed; yet such an one as the Governor, we are assured, would never have complained of. It is with Reluctance that we are also obliged to declare, that we have been so bold, from Time to Time, as we frequently found it our indispensable Duty, whenever the public Interest and Welfare demanded it, to remonstrate, with Decency, to the Governor, the great Neglect of the Military Service, which was obvious to every Body, and under his immediate Notice; the Disregard shewn to the Law, in not issuing Ranging Orders as it expresly enjoined; and in not recruiting the Battalions until long after the Time of the Enlistments was expired; also the distressed and bleeding Situation of the Frontiers, occasioned by these Neglects, while the Troops were sleeping in Garrison, without the necessary Orders for ranging and protecting the Inhabitants. This we apprehend every Subject had a Right to do; but when it is considered that we were entrusted with the Money which was to pay the Provincial Troops, that Right seems to be changed into an indispensable Duty. In these, and such like Transactions only, we have given the Governor Disgust. If this be "treating him with Dis-"regard," we confess we have done it, incited thereto from a conscientious Discharge of our Duty to the Public; if not, we hope we shall be presumed innocent of the Charge, until the Governor shall be just and generous enough to point out some particular Facts, to which we may answer, and from which we may vindicate our injured Reputations, which he has unjustly attempted to sacrifice to his private Resentment.

The second Charge is, that we "have laid out and expended divers Sums of Money "heretofore given to his Majesty's Use, without previously obtaining the Governor's "Consent, or even consulting him." If this Accusation contained the least Degree of Truth, we have certainly deviated much from our Duty, and acted inconsistent with the Directions of the Law. But this Charge is of the same Nature with the other, a general one, and can only be denied or answered generally. 'Tis rather calculated to wound the Reputation of the Innocent, than to give them an Opportunity of a Vindication. We are not conscious that we have ever drawn Orders for any Sums of Money for Purposes not particularly specified in the Law, and approved of by the Governor. But, on the contrary, we have ever been so cautious and careful, knowing that every little Slip, or inadvertent Mistake, would be construed into the most heinous Offence, as not only to

consult

1758. *April* 5. conſult the Governor, but to lay many Matters before the Houſe, to whom we apprehend we are accountable for our Conduct, before we would draw Orders to defray their Expence, as this Houſe can teſtify. 'Tis true, the Governor not attending the Board, the Commiſſioners were obliged to ſettle Accounts, and draw Orders, agreeable to the Directions of the Law, in the Governor's Abſence; but never, to our Knowledge, for any Purpoſes to which he had not agreed or given his previous Conſent, either by Letter, directed to the Board, or by having ſigned an Order for the like Service. This was ſtrictly agreeable to the Practice and Manner of tranſacting the Public Buſineſs, ſettled and agreed on by the late Governor *Morris*, and former Boards of Commiſſioners, and has never been altered or objected to by the preſent Governor. Their Method was, "for the Governor and Commiſſioners to agree on the Service for which Money was "neceſſary; then the moſt conſiderable Contracts are laid before him for his Approba- "tion, or recommended by him to the Board, and thoſe Agreements and Approbations "are entered on the Minutes. The Commiſſioners, only, afterwards have ever ſettled "the Accounts, which is troubleſome enough, and given Orders for the Payment, in "Purſuance of ſuch previous Agreements and Contracts, and the Direction of the Law. "They would be glad if the Governor would attend the Board, and aſſiſt in ſettling the "Accounts, and tranſacting the Buſineſs, but that would take up too much of his Time, "and is therefore impracticable. And it would be uſeleſs to give him the Trouble of "ſigning every Order, when he cannot ſpare Time to examine the Accounts, upon "which the Orders are founded." And could he ſpare Time, the Law does not render his ſigning neceſſary, provided his Approbation be obtained in any other Manner. 'Tis fortunate for us, that all the Contracts and Purpoſes to which the Public Money hath been appropriated, together with the Governor's Agreements to, and Approbation of, them, appear on our Minutes, and are, we hope, more than a ſufficient Refutation of the Governor's unjuſt and groundleſs Accuſations. And we further declare, That, to our Knowledge, we never did, either directly or indirectly, draw Orders at any Meeting, without Directions being given to the Clerk for ſummoning the whole Board, and, as we believe, without *Lynford Lardner* and *John Mifflin*, Eſquires, the two Commiſſioners of the Governor's Council, he ſo much approves of, having Notice to attend *. This is all the Anſwer the Nature of this general Charge will admit of, and we hope will be ſatisfactory to the Houſe, and every impartial Mind, until the Governor ſhall act ſo far on the Principles of Juſtice, as to be more particular herein, and point out the Sum that has been thus expended, "contrary to Law, without obtaining his Con- "ſent, or even conſulting him."

The third Charge is, "that we have neglected to inform the Governor of the State of "our Accounts, or how we had applied the King's Money, though he had long ſince "demanded it of us." 'Tis true, ſome ſhort Time before this Seſſion of Aſſembly, the Governor did deſire that the Commiſſioners would lay their Accounts before him. 'Tis alſo as true, that the Board was ſo far from having any Deſign to conceal their Tranſactions from the Governor, that they gave immediate Orders to the Clerk to furniſh him with them as ſoon as poſſible; and as the Clerk had in every other Inſtance acted with the greateſt Care, we did not doubt but it had been done. How it happened to be neglected, we beg Leave to refer this honourable Houſe to the Examination of their own Clerk, who at that Time was the Clerk of the Board. It ſeems, though the Books were put into the Hands of the Governor's Secretary's Clerk, and ſome Progreſs made therein, yet it was by ſome Means forgot by the Clerk of the Board to be ſent to the Governor, without the leaſt Knowledge or Privity of ours. We cannot help remarking, that there appears in this Tranſaction and Charge, a fixed Deſign to enſnare us. For had the Governor ever called on the Clerk (which perhaps was the propereſt Application to procure the Minutes or Accounts of a Board, of which he conſtituted one Half, and whoſe Officer the Clerk was, as well as the Commiſſioners) or had given us the leaſt Intimation of the Omiſſion, the Board, though they never met regularly after, would have reminded the Clerk of it, and had it done. From whence it would ſeem, that the Omiſſion was more pleaſing to the Governor, than a Compliance with his Requeſt. Beſides, it ſeems ſtrange to us that he ſhould exempt from this Charge the two Commiſſioners, Members of his Council, whoſe Duty it was equally with us to enquire into this Omiſſion. If there be any Crime in this Neglect, and it is imputable to the Commiſſioners, we leave it to the Governor's great Impartiality to give a Reaſon, why the ſame Fact is Innocence in them, but conſtrued, in us, to an heinous Offence.

As to the fourth Charge, that being "informed the Commiſſioners had bought, with "the Money given for his Majeſty's Uſe, a Parcel of Goods, to be diſpoſed of in Pre- "ſents to the *Indians*, he (the Governor) demanded a Liſt of ſuch Goods, and the "Amount of them, that he might know how to conduct himſelf towards the *Indians*, "which was delayed a long Time." By the Manner of making this Charge, it would ſeem as if the Commiſſioners had purchaſed theſe Goods without the Governor's Conſent.

The

* *See the Clerk's Affidavit.*

The Facts relating to this Transaction will clear up that Insinuation, and are as follow: The Governor, by his Letter to the Commissioners, dated the Eleventh of *July* last, informed us of the Number of *Indians* expected at the Treaty, and "desired that we would "provide Presents in Proportion to their Numbers, a List of which should be shewn to "Mr. *George Croghan*, for his Approbation." A List was accordingly made out, and shewn to *George Croghan*, the King's Deputy Agent for *Indian* Affairs, and the Goods, under the Care of the Commissioners, carried up to *Easton*, where we attended on the Public Service, by the Direction of this House. On the Twenty-sixth of *July* the Governor "desired we would furnish him with a List of the Goods provided for the *Indian* "Presents;" to which the Commissioners returned the following Answer: 1758. April 5.

SIR,

"We have indeed brought up a Parcel of Goods, purchased for the Use of the Pro-"vince, which we shall be ready to join with your Honour in disposing of to the *In-*"*dians*, whenever the present Treaty is brought to an Issue, that will justify us to our "Constituents in such Disposition of them, and in due Time we shall prepare a List of "the Goods to be laid before you, being heartily desirous to concur with you in every "Thing that will conduce to the public Utility."

The uncertain Circumstance and gloomy Prospect the Conference was then under; the great Disgust *Teedyuscung* had taken, in being refused the natural and reasonable Privilege of a Clerk to take down the Minutes of the Conference on his Part; the Art made use of by the Proprietary Agents to divert and prevent the *Indians* from prosecuting their Claim to the Lands which they assert they have been deprived of by Fraud; and the Uneasiness they discovered at other Schemes, that were then prosecuting, rendered it very uncertain what Quantity, if any, of the Goods, the Commissioners could justify themselves in giving at that Time, as they, with many others of the sensible and judicious Part of the People, despaired of any good Effects flowing from the then Measures; and rather apprehended that the Consequence would have been a more cruel and barbarous War, than a happy and fortunate Peace. However, on the Thirtieth of the same Month, these Measures being in some Degree laid aside, and a better Prospect presenting itself, a List, which had been before made out by the Orders of the Board, was delivered by the Clerk to *John Mifflin*, Esq; one of the Governor's Council, by whom he repeatedly communicated with us. The Conference did not end until seven Days after, so that if the Governor had not the List till after it was over, as he declares, how he can with Justice impute this Neglect to us, and not to the Commissioner to whom the Clerk delivered the List, we are at a Loss to judge. For the Truth of these Facts we beg Leave to refer this honourable House to our Minutes, and the Examination of our Clerk.

Thus much we have thought it necessary to say at present, in our Vindication against the unjust, trifling and groundless Charges exhibited against us by the Governor, without the least Shadow of Reason or Proof to support them; Charges that have no other Foundation but his private Resentment, occasioned by our exercising our Judgments in the Discharge of a most important Trust, and because we could not pay the same implicit Obedience to his Direction and Will, as he has declared he is bound to do to the Instructions of the Proprietaries. Had we joined with his Honour in every extraordinary Scheme that he proposed to us, however inconsistent with our Duty, the Law, and the People's Welfare, these Charges, we are convinced, would never have been thought of; but, on the other Hand, the Monies entrusted to our Care would have been laid out, as we are ready to make it appear, to Purposes from which the People and Province would have received no Kind of Benefit or Advantage. We shall only add, that we hope these Facts will satisfy the House, until the Governor shall do us the Justice as to ascertain his general Charges in such Manner that we may know what they are, and have an Opportunity of answering them. And whenever that shall be done, we hope we may be able to shew, from the most evident Proofs, that we have been actuated by no other Motives but the general Good and Welfare of the People, and how to lay out the Money, entrusted to our Disposition, with the best Oeconomy and Justice to the Public. And that we have been so far from wittingly misapplying it, or appropriating any Part thereof to our own Use, that some of us are in considerable Advance, out of our private Fortunes, for his Majesty's Service.

WILLIAM MASTERS, JOHN HUGHES,
April 5, 1758. JOSEPH FOX, JOSEPH GALLOWAY."
JOHN BAYNTON,

The CLERK's AFFIDAVIT.

WHEREAS the Governor hath been pleased, in his Messages to the Assembly, of the Twentieth of last Month, and Third of this Instant, to charge five of the Provincial Commissioners, Members of Assembly, not only with Disregard of him on several Occasions, but also of the following Instances of Breach of Duty, *viz.* Affidavit of the Assembly's Clerk.

1758. *April* 5.

1. That, "at the late Treaty held at *Eaſton*, wherein Peace was concluded with the *Indians*, being informed that they (the ſaid Commiſſioners) had bought, with the Money given for his Majeſty's Uſe, a Parcel of Goods, and brought them to that Place to be diſpoſed of in Preſents to the *Indians*, he, (the Governor) demanded of them a Liſt of ſuch Goods, and the Amount of them, that he might be enabled therefrom to form a better Judgment how to conduct himſelf towards the *Indians*, or what Expectations to give them on an Occaſion ſo intereſting to his Majeſty and this Province; in Anſwer to which, they were pleaſed to tell him, that they would, in due Time, prepare and lay before him a Liſt of ſuch Goods. This, however, was delayed a long Time, and was all the Satisfaction he could obtain from them, till after the Concluſion of the Treaty."

2. That the ſaid Commiſſioners (Members of Aſſembly) "have, moreover, had Meetings amongſt themſelves, without ſummoning or giving Notice to Mr. *Lardner* and Mr. *Mifflin*, their Brother Commiſſioners, who are firſt named in the Law, and had equal Power and Truſt with them."

3. That "they have likewiſe neglected to inform the Governor of the State of their Accounts, or how they have applied the King's Money, though he long ſince demanded it of them; ſo that he knows not to this Day in what Manner it has been expended, and what new Contracts may have been made by them."

And whereas, ſince the above Meſſages, the Governor hath been further pleaſed, in Converſation with two of the ſaid five Commiſſioners (Members of Aſſembly), at his own Houſe, to reproach them with having been mean enough to get the Clerk of the Board to take their Faults upon himſelf, and pretend they were Conſequences of his own Neglect and Forgetfulneſs; I, who have acted as Clerk to the Provincial Commiſſioners, and been preſent at, and taken Minutes of, almoſt all the Tranſactions of that Board, do therefore, in Juſtice to the Characters of the ſaid five Commiſſioners (Members of Aſſembly) ſolemnly, ſincerely and truly teſtify, declare and affirm, that I did, by Direction from the ſaid Commiſſioners, on the Thirtieth Day of *July* laſt, to the beſt of my Remembrance, deliver a Liſt of the ſaid *Indian* Goods, as demanded by the Governor five Days before, into the Hands of *John Mifflin*, Eſq; then at the Governor's Lodgings in *Eaſton*, where I was attending on other Buſineſs of the Commiſſioners.

I do moreover declare and affirm, that the Provincial Commiſſioners, on the Second Day of *April*, 1757, the fourth time they met after their Appointment, when all were preſent except *Lynford Lardner* and *John Hughes*, Eſquires, did make, agree to, and order to be inſerted on their Minutes, the following Reſolve, *viz.*

"That the Members of this Board, or a Majority of them, do for the future meet regularly on *Tueſdays* and *Fridays* every Week, at Nine o'Clock preciſely, in the Committee Room, or Council Chamber, for tranſacting Buſineſs, and that the Clerk give his Attendance accordingly."——A general Rule for the Meetings of the Board being thus eſtabliſhed, it could not be neceſſary, or a Duty incumbent on the Clerk, to call the Members together, except by particular Order from ſome of them, when ſpecial Meetings were required on the intermediate Days, for diſpatching Buſineſs, not to be poſtponed: In which Caſes I ſolemnly declare and affirm, that I never received from any of the ſaid five Commiſſioners (Members of Aſſembly) the moſt diſtant Direction, or even a Hint, to omit giving due Notice thereof to their Brother Commiſſioners of the Governor's Council; nor did I ever fail herein, to the beſt of my Knowledge, Recollection and Remembrance, except once, through Forgetfulneſs, with *John Mifflin*, Eſq; who nevertheleſs, having by ſome other Means received Notice of the Meeting, attended the Board, enquired why he had not been ſummoned, was acquainted with the Reaſon, and heard my Apology for the Omiſſion.

I do further declare, teſtify and affirm, that I received Orders from the ſaid Commiſſioners (Members of Aſſembly), upon their Receipt of the Governor's Letter of the Twenty-ninth of *December* laſt, demanding a State of their Accounts, to make out from the Minutes of the Board a Liſt of all the Orders, with their ſeveral Uſes, drawn by the Provincial Commiſſioners on the Truſtees of the General Loan-Office for the *Hundred Thouſand Pounds*, granted laſt Year to the King's Uſe, and when finiſhed, to deliver the ſame to the Governor: In Purſuance of which Order, I did, a few Days after, put the Minutes of the Board into the Hands of *Robert Levers*, the Governor's Secretary's Clerk, and emyloyed him to make out the ſaid Liſt, being myſelf at that Juncture, and ever ſince, too cloſely engaged in the Service of the Houſe for ſuch an Undertaking. About a Week or ten Days after, the ſaid *Levers* brought to me an unfiniſhed Eſſay towards ſuch a Liſt, and through my great Hurry and Want of Time to compare it juſt then with the Minutes of the Board, as well as the Orders themſelves in the Hands of the Truſtees, before it could be completed, the Matter was deferred to a more leiſure Interval, and afterwards entirely forgot, till revived by the Charges in the Governor's Meſſage of the Third of this Inſtant, when I did, by a ſecond Order from the ſaid five Commiſſioners, carefully reviſe, collate and finiſh the ſaid Liſt with all convenient Diſpatch, and on the Sixth following

lowing presented the same to the Governor with my own Hand; and likewise delivered to him, from a Consciousness of my Neglect, a written Apology for the Delay, dictated and voluntarily drawn up by myself, unadvised by, and unknown to, any of the said Commissioners, whose Reputation the Governor seems to suspect I have been prevailed on to skreen at the Price of my own. 1758. *April* 5.

CHARLES MOORE."

'*Affirmed this* 24*th of* April, 1758,
'*before* WILLIAM PLUMSTED, *Esq*;'

The House resumed the Consideration of the Governor's Amendments on the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, and the Question being put, Whether the House do adhere to their Bill? the same was resolved in the Affirmative by a great Majority.

Ordered, That Mr. *Roberdeau* and Mr. *Pearne* wait on the Governor with the said Bill, and acquaint him, that the House adhere to the same.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The Members appointed to wait on the Governor with the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and to acquaint his Honour, that the House adhered thereto, reported, they had done the same according to Order. *Post Meridiem*

A Petition from a considerable Number of the Trading Part of the Citizens, and others, was presented to the House and read, setting forth the mischievous Effects apprehended from the Bill lately under Consideration of this House, for imposing a Duty of Tonnage on all Vessels, *&c.* and praying that the same may not be enacted into a Law.

Whereupon the House resumed the Consideration of the said Bill; and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House went again upon the Consideration of the Bill for granting to his Majesty a Duty of Tonnage upon all Ships and other Vessels; also certain Duties upon Wine, Rum, Brandy, and other Spirits, *&c.* and, after some Time spent therein, the said Bill was dashed. *April* 6.

Ordered, That Mr. *Norris*, Mr. *Hughes*, Mr. *Melvin* and Mr. *Yorke* be a Committee to bring in a new Bill for the said Purposes, more agreeable to the Sentiments of the House.

The Governor, by Mr. Secretary, sent down the Bill for preventing Abuses in the *Indian* Trade, *&c.* with the following verbal Message, *viz.* "That as soon as his Honour is "satisfied by the Commissioners that the *One Thousand Pounds*, mentioned in the said "Bill to be laid out in Goods, and consigned to *John Carson*, at Fort *Augusta*, have "been so expended, he shall be ready to pass the said Bill whenever offered to him for "that Purpose."

The Secretary also delivered a Letter from Sir *John St. Clair*, Deputy Quarter Master, to the Governor, dated *Philadelphia*, *April* 5, requesting his Honour to give Directions for establishing two good Horses at each of the following Stages, *viz.* *Trenton* Ferry, *Philadelphia*, *New-Castle*, *Dover*, *Lancaster* and *York*; and acquainted the House, the Governor earnestly recommended to them a Compliance with the said Request.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The House taking into Consideration Sir *John St. Clair's* Letter to the Governor, and having spent some Time therein, a Message to his Honour was drawn at the Table, agreed to, and follows in these Words, *viz.* *Post Meridiem*

May it please your HONOUR,

UPON considering the Request made by Sir *John St. Clair* to your Honour, that you would establish two good Horses at *Trenton* Ferry, *Philadelphia*, *New-Castle*, *Dover*, *Lancaster* and *York*; we think it so reasonable and necessary for his Majesty's Service, that we earnestly request the Governor to take the proper Measures to comply therewith, at the several Places within this Government. To defray the Expence of this, and other necessary Transactions for the King's Service, a Bill now lies before your Honour for your Concurrence, to which we earnestly desire the Governor's Assent, as the Season for military Operations advances fast. A Message to the Governor from the Assembly.

Signed by Order of the House,
THOMAS LEECH, *Speaker*."

Ordered, That Mr. *Melvin* and Mr. *Saunders* wait on the Governor, and deliver the foregoing Message to him.

The Members returned, and reported, they had delivered the said Message according to Order.

Mr. *Fox*, one of the Provincial Commissioners, appointed by that Board to lay out a *Thousand Pounds* of the Public Money in *Indian* Goods, to be consigned to *John Carson*, Agent at Fort *Augusta*, for opening a Trade with the *Indians*, on Account of the Province,

1758. *April 6.* vince, in Purſuance of the Meſſage ſent down by the Governor in the Forenoon, with the *Indian* Bill, delivered at the Table an Account of the Application of the ſaid Sum to the above Purpoſe, which was read, and the Houſe being ſatisfied therewith, as clearly and properly ſtated,

Ordered, That Mr. *Fox* and Mr. *Hughes* wait on the Governor with the ſaid Account, whereby his Honour may be alſo ſatisfied that the ſaid Sum hath been applied to the Uſe for which it was depoſited in the Hands of the ſaid Commiſſioner.

The Committee appointed to bring in a Bill for laying a Duty of Tonnage on all Ships and other Veſſels, *&c.* reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read the firſt time, was ordered a ſecond Reading.

The Members appointed to wait on the Governor with an Account of the Application of *One Thouſand Pounds*, lodged in the Hands of Mr. *Fox*, to be laid out in ſuitable Goods for opening a Trade with the *Indians* at Fort *Auguſta*, in Behalf of the Government, reported, that, in Obedience to the Order of the Houſe, they had waited on his Honour, and attempted to deliver the ſaid Account, with the Meſſage committed to their Charge, but the Conduct and Behaviour of the Governor, and the Treatment they met with from him, were of ſuch an extraordinary Nature, they thought it their Duty to communicate it to the Houſe in Writing, and the ſame being read, follows in theſe Words, *viz.*

Report of Mr. *Fox* and Mr. *Hughes* to the Houſe.

"BEING admitted into the Governor's Room, Mr. *Fox*, addreſſing himſelf to his Honour, ſaid, Sir, As you were pleaſed to ſend a Meſſage to the Houſe this Morning, in which you deſired to be informed of the Application of the *One Thouſand Pounds*, allotted by yourſelf and the Provincial Commiſſioners, for opening a Trade with the *Indians* at Fort *Auguſta*, we have waited on your Honour with an Account of the Goods purchaſed for that Uſe, and ſent up to Mr. *Carſon*, Agent at the ſaid Fort; we alſo lay before you the ſaid *Carſon's* Receipt for ſuch Goods, to the Amount of *Eight Hundred* and *Thirty-four Pounds*, and here is my Acknowledgment of the Balance, which I am ready to pay, as your Honour may think moſt proper, either to Mr. *Carſon*, or into the Hands of the Provincial Commiſſioners.———The Governor, interrupting Mr. *Fox*, replied, Sir, your Eloquence is very great——Sir, your Eloquence is very good; but let it be ſhort.——It is very good, Sir,—but let it be ſhort.——Your Account will ſpeak for itſelf, I ſuppoſe.——What Sort of Treatment is this to a Governor?——Half an Hour ago, or a Quarter of an Hour, or Twenty Minutes, or leſs, I received a Meſſage from your Houſe (holding a Paper in his Hand);——why this is ſtrange Treatment to a Governor: What! ſhall I not have Time to do the Public Buſineſs?——I was juſt now conſidering your Meſſage, and here comes another.——This Treatment to a Governor?——This Treatment to a Governor? Whereupon Mr. *Hughes* ſaid, Sir, your Honour miſtakes us; we come by Order of the Houſe. Here the Governor interrupted Mr. *Hughes*, and ſaid, Very pretty!—very pretty, indeed!——What do the Houſe mean?——Who is to judge of the Miſtake? You, Sir?—You, Sir?——Sure!——You, Sir?——Very pretty Treatment, indeed, to a Governor! not to give me Time to do the Public Buſineſs. Then turning himſelf to Mr. *Fox*, and making a low Bow, further ſaid, Sir, leave your Paper. It will ſpeak for itſelf, and I will conſider it. Upon which Mr. *Fox* ſaid, Sir, here it is,—and will ſpeak for itſelf. The Governor replied, O! yes, Sir, your Eloquence is very great; but leſs of it.—It is very good, but no Matter how ſhort, Sir.——Mr. *Fox* then put down the Paper on the Table, and ſaid, Here is the Account, and I am ready to ſettle. Aye, Sir,—Aye, Sir, (anſwered the Governor) you have a good deal to ſettle,—you have a great deal to ſettle;—you keep back your Accounts,—you refuſe your Accounts to me, though you are mean enough to get your Clerk to take it on himſelf, and ſay it was a Neglect of his. Whereupon Mr. *Fox* was going to reply, but the Governor prevented him, by ſaying, Aye, Sir,—aye, Sir, you are very eloquent,—you are very good, Sir, and if you will look in a Glaſs, you will ſee your own Picture. He then deſired us to ſpeak the Truth after we left the Room; to which Mr. *Fox* replied, Sir, I defy your Honour, or any Man elſe, to charge me with the contrary; and we withdrew."

The Houſe taking the foregoing Report of Mr. *Fox* and Mr. *Hughes* into Conſideration,

Reſolved, *N. C. D.* That it is an undoubted Right of this Houſe, either by themſelves, or any of their Members, to have free Acceſs to, and decent Treatment from, the Governor, on the Public Buſineſs, at all ſeaſonable Times.

Reſolved, *N. C. D.* That the Manner of the Governor's receiving the Members of this Houſe, and the Treatment he gave them, when they were about to deliver their Meſſage, were extremely unbecoming his Station, indecent, unparliamentary, and ſuch as hath an evident Tendency to ſubvert and deſtroy that Freedom of Acceſs which the Repreſentatives of the Freemen of this Province have a Right to, and without which the Affairs of Government cannot be tranſacted.

Then

1758.
Adjournment *April* 7.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Governor, by Mr. Secretary, sent down the Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, with a verbal Message, that he was ready to pass the same, whenever presented to him for that Purpose.

The Secretary likewise brought down the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and acquainted the House, that the Governor adhered to his Amendments thereon, and that on *Monday* next the Assembly of the Lower Counties was to meet by Summons from his Honour, and would require his Presence.

With the said two Bills, and verbal Messages, Mr. Secretary further delivered a written Message from the Governor to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'I RECEIVED Yesterday, by two of your Members, the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. with a verbal Message, that the House adhered to the Bill; which is all the Notice you have been pleased to take of the Amendments, or my Message of the Third Instant, sent with them. When I reflect, that the wise and vigorous Measures formed by our most gracious Sovereign for the Protection of his Subjects in these Colonies, must be defeated, and thereby this and the neighbouring Provinces again be exposed to the cruel Incursions of our merciless Enemies, unless the Supplies demanded of each Government, for carrying into Execution the Plan of Operations concerted by his Majesty, are granted, I cannot but be greatly concerned, that a Bill so important in its Consequences, should be obstructed, or meet with the least Delay. Give me Leave to observe to you, Gentlemen, that the Taxation of the Proprietary Estate hath already been the Subject of much Altercation, in which a great deal of precious Time has been lost. To solicit, and bring this unhappy Contest to a final Decision before our Superiors, an Agent hath been appointed, and sent Home, on the Part of the Assembly; and in the mean Time the Dispute hath been permitted to sleep, and a Supply Bill passed by the Legislature, wherein the Proprietary Estate hath been altogether exempted. This being the Case, I was not a little surprized to find a Foundation laid for new Debates, by a Clause inserted in the above Bill for taxing the Proprietaries; and that too, at a Time when Unanimity and Vigour in our Councils are so absolutely necessary. Permit me to remind you, Gentlemen, that our indispensable Duty to the best of Kings, a Regard to our own Interest, and every Motive that can actuate *British* Subjects, and Lovers of their Country, demand it of us, on the present Occasion, to bury, or at least suspend, all former Heats, and to guard against every Thing that can possibly impede the vigorous Efforts his Majesty is determined to make against his Enemies the ensuing Campaign; on the Success of which, the very Being of this Province may depend. That nothing might be wanting on my Part, I have offered every Thing in my Power, consistent with my Duty.——So far from being desirous to exempt the Proprietary Estate from bearing a Share in the public Burthen, I proposed to you, in my last Message, to concur with you in taxing all their located and appropriated Tracts, provided Commissioners were appointed in the Bill for that Purpose, such as should be approved of by both of us; and I intended, if any Difficulties should arise about the Commissioners, further to propose, that an equal Number should be nominated by you and me. This was a Proposal so equitable, that I did not doubt your Acceptance of it; and I am at a Loss to know what Reasons could move you to reject it. I once more make you the like Offer, and hope, on reconsidering the Matter, you will either concur with me in it, or suffer the Bill to pass, as others of the like Kind heretofore have, exempting the Proprietary Estate till the Point is settled and adjusted on the other Side of the Water. It would be very disagreeable to me to enumerate the Reasons I gave you, in my former Message, for objecting to five of the Persons named in the Bill for Provincial Commissioners; they are so strong and full, that it is unnecessary to say any Thing in Support of them. I cannot help lamenting it, however, as a public Misfortune, that you did not turn your Attention to the raising Supplies for the Service of the current Year, before the Season was so far advanced: You must do me the Justice to acknowledge, that I have not failed frequently to put you in mind of the Necessity of making such timely Provision. I pressed you on this Subject, in my Message to you of the Seventeenth of *October* last, at your first Meeting; and at your next Meeting in my Messages of the Third, the Thirteenth, and Twenty-fourth of *January*, and Eighth of *March*, when I laid before you the Letter I received from his Majesty's principal Secretary of State. It may not yet be too late to exert ourselves, and do every Thing incumbent on us to comply with his Majesty's just and reasonable Demands. But if any Charge of Delay should be imputed to this Province, it is a great Satisfaction to me, that no Part of the Censure can justly lie at my Door.

April 7, 1758. *WILLIAM DENNY*."

1758. *April* 7.

Ordered, That the Bill for regulating the Hire of Carriages to be employed in his Majeſty's Service, to which the Governor hath given his Aſſent, be engroſſed.

The Houſe taking into their moſt ſerious Conſideration the Supply Bill, returned by the Secretary, and the Governor's verbal Meſſage, that he adhered to his Amendments thereon; and having alſo duly weighed the Propoſal contained in the foregoing written Meſſage from his Honour, reſpecting the Taxation of the Proprietary Eſtate, after ſome Time ſpent therein, the Queſtion was put, Whether the Houſe do adhere to their Bill? And the ſame was reſolved in the Affirmative, by a great Majority.

Mr. *Fox* preſented at the Table a Letter he had juſt received from Colonel *Haldimand*, Commanding Officer of the King's Troops here, complaining of a great Want of Neceſſaries at the Barracks for the ſick Soldiers; and reported, that he had been himſelf with the Colonel to the Barracks, and finding the Complaint not altogether groundleſs, he had been deſired by him, and had engaged to repreſent the ſame to the Houſe.

Reſolved, That it is the Opinion of this Houſe, and recommended by them to the Provincial Commiſſioners, that they do make Proviſion at the Barracks of the Neceſſaries required in Quarters, for the better Accommodation of his Majeſty's Troops.

Ordered, That Mr. *Galloway*, Mr. *Roberdeau* and Mr. *Maſters* be a Committee to draw up a Remonſtrance to the Governor, upon his Refuſal of the Bill for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, &c.

Adjournment

Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem

The Committee appointed to draw up a Remonſtrance to the Governor, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read, was agreed to, after ſome Amendments, and ordered to be tranſcribed.

The Governor, by Mr. Secretary, ſent down the Bill for extending ſeveral Sections of an Act of Parliament, paſſed in the Thirtieth Year of the preſent Reign, for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, with the following verbal Meſſage, *viz.*

" The Governor returns the Bill, entituled, *An Act for extending ſeveral Sections of* " *an Act of Parliament, paſſed in the Thirtieth Year of the preſent Reign, entituled, An* " *Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and* " *their Quarters*, and obſerves, that it is not the ſame which was preſented to him at " firſt, and will paſs it if the Word [*Eight*] be inſerted, inſtead of the Word [*Twelve*] " in Page 4, Line 11, as Colonel *Haldimand* has declared to his Honour that no more " can conveniently be put into one Room, without endangering the Health of the Sol- " diers. The Letter of the Commanding Officer of the King's Troops is ſent here- " with."

The Houſe taking into Conſideration the ſaid Letter, and the Meſſage from the Governor,

Ordered, That Mr. *Roberdeau* and Mr. *Yorke* wait on the Governor with the ſaid Bill, and acquaint his Honour, that inſtead of his propoſed Amendment of [*Eight*] the Houſe are willing to admit the Word [*Ten*] into the Bill.

The Members return, and report, that they had waited on the Governor with the ſaid Bill, and the Meſſage from the Houſe, and delivered the ſame according to Order; to which his Honour was pleaſed to ſay, he would conſult with the Officers thereon, get their Opinion in Writing, and communicate the ſame to the Houſe.

Adjournment

Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

April 8.

The Remonſtrance of the Houſe to the Governor, on his Refuſal of the Bill for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, &c. being tranſcribed, was ſigned by Mr. Speaker, by Order of the Houſe, and follows in theſe Words, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

WE his Majeſty's moſt dutiful, faithful and loyal Subjects, the Repreſentatives of the People of this Province, in General Aſſembly met, do hereby earneſtly remonſtrate to your Honour;

That on the Eighteenth of *March* your Honour laid before us a Letter from General *Abercrombie*, containing the firſt Notice we had of the Number of Troops that was expected from theſe Colonies; and in a few Days after, we reſolved to furniſh and pay as large a Proportion of Men as this Province could poſſibly ſupply, Thirteen Hundred whereof are now ready to join the King's Forces; and on the Twenty-ninth of the ſame Month we preſented to your Honour a Bill, granting *One Hundred Thouſand Pounds* to the King's Uſe for this Purpoſe, which you have thought proper twice to reject, notwithſtanding the Seaſon for military Operations is ſo far advanced, that his Majeſty's Service muſt be greatly injured and retarded thereby.

That the Mode propoſed by your Honour of taxing the Proprietary Eſtate, is without Precedent in our Mother Country, anti-conſtitutional, and inconſiſtent with the Rights of the People: That his Majeſty, and the Peers of the Realm of *Great-Britain*, do not

inſiſt

1758. *April* 8.

insist upon a Right of appointing Commissioners with the other Branch of the Legislature, for taxing their Estates; but, on the contrary, have wholly left to the Commons the Right of nominating Commissioners in their Supply Bills, which admit of no Amendment; and therefore we can only look on this Proposal as calculated to exempt the Proprietary Estate from bearing an equal and just Proportion of the necessary Taxes at this critical and important Juncture, contrary to Justice and Equity.

That we have, from a Spirit of Loyalty and Gratitude to the best of Sovereigns, in Pursuance of his most gracious and paternal Requisition, at a Time when the People are labouring under an heavy Burthen of Taxes, agreed to furnish and pay Two Thousand Seven Hundred Men, in order to assist his Majesty's regular Troops in the offensive Operations he is resolved to prosecute for the Defence of this and his other Colonies; and to enable your Honour to discharge your Duty herein to the Crown, we have presented a Bill, granting *One Hundred Thousand Pounds* to his Majesty's Use, for this Purpose.

That the Right of granting Supplies to the Crown is in the Representatives of the People alone, as an essential Part of our Constitution, and that the Bill is framed agreeable to Justice and Equity in all its Parts, as well with respect to the Proprietaries as others, and not repugnant to the Laws of our Mother Country, but as nearly agreeable thereto as our different Circumstances will admit.

That as the Bill presented to your Honour was a free Gift of the People of this Province to the Crown, at the special Request of his Majesty, for the general Defence of *America*, we apprehend that the Governor's refusing to permit us thereby to grant Supplies for the Defence and Protection of the Colonies, unless we exempt the Proprietary Estate from paying its just Proportion, is inconsistent with his Duty to the Crown, the Heighth of Injustice, Ingratitude to the best of Kings, and an arbitrary Invasion of the Rights of the People.

The House is resolved to adhere to the Bill, and preserve their own and the Rights of their Constituents, and therefore they once more present this Bill to your Honour, for your Assent; and, in the Name of our most gracious Sovereign, and the distressed and oppressed People we represent, we insist that your Honour accept of the Number of Men granted, and the Supplies offered to the Crown for raising and paying them, and give your Assent to the Bill we now present, as you shall answer the rejecting so considerable an Aid, in the present important Operations, to his Majesty and his Parliament.

April 8, 1758. *Signed, by Order of the House,*

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Roberdeau*, Mr. *Pearne*, Mr. *Hunt*, Mr. *Melvin*, Mr. *Saunders*, Mr. *M'Connaughy* and Mr. *Plumsted* wait on the Governor, and deliver the foregoing Remonstrance, together with the Bill for granting *One Hundred Thousand Pounds* to the King's Use; and that they acquaint his Honour, the Bills to which he has given his Assent, will be ready to be passed by Four o'Clock in the Afternoon.

The Members return, and report, they had delivered the Remonstrance of the House, with the Supply Bill, to his Honour, and that he was pleased to say, he had before rejected the said Bill, by the unanimous Advice of his Council, and returned the same to one of the Members; but on being acquainted that it was unparliamentary, he received it again.

Ordered, That Mr. *Pearne* and Mr. *Hunt* join with two of the Members of Council in comparing the engrossed Copies of the Bills, to which the Governor hath given his Assent, with their Originals.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Members appointed to join with the Gentlemen of the Council in comparing the three Bills to which the Governor hath given his Assent, reported, they had done the same, and found them to agree. *Post Meridiem*

The Governor, by the Secretary, again sent down the Bill for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, with a verbal Message, that his Honour adhered to his Amendments thereon, having been again assured by Colonel *Haldimand*, that the Rooms in the Barracks will not accommodate a greater Number of Men than Eight in each, without manifest Danger to the Lives of the King's Troops.

Mr. Secretary also brought down a second time the Supply Bill, with the following verbal Message, *viz.*

" The Governor returns the Bill, entituled, *An Act for granting to his Majesty the* " *Sum of* One Hundred Thousand Pounds, *and for striking the same in Bills of Credit, in* " *the Manner herein after directed, and for providing a Fund for sinking the said Bills of* " *Credit, by a Tax on all the Estates, real and personal, and Taxables within this* " *Province*; and commands me to acquaint the House, that he will not pass it, for the

" Reasons

1758. *April* 8. " Reaſons given in his Meſſages; but adheres to his Amendments, with the unanimous " Advice of his Council; and that he will tranſmit to his Majeſty a Copy of the Bill, " with his Reaſons for rejecting it."

A Meſſage by Mr. Secretary:

" *SIR*,

" The Governor requires the Attendance of Mr. Speaker and the Houſe, in the Coun- " cil Chamber, to enact into Laws the Bills prepared and agreed to."

Then Mr. Speaker, with the whole Houſe, waited on the Governor, and being returned, the Speaker reſumed the Chair, and reported, that they had waited on his Honour with three Bills, reſpectively entituled as follows, *viz. An Act for preventing Abuſes in the* Indian *Trade for ſupplying the* Indians, *Friends and Allies of* Great-Britain, *with Goods at more eaſy Rates, and for ſecuring and ſtrengthening the Peace lately concluded with the* Indians *inhabiting the Northern and Weſtern Frontiers of this Province.*

An Act for regulating the Hire of Carriages to be employed in his Majeſty's Service.

An Act for regulating the Officers and Soldiers commiſſionated and raiſed by the Governor for the Defence of this Province.

To all which Bills his Honour had been pleaſed to give his Aſſent, by enacting the ſame into Laws.

Ordered, That Mr. *Pearne* and Mr. *Hunt* do ſee the Great Seal affixed to the ſaid Laws, and the ſame depoſited in the Rolls Office.

The Members appointed to ſee the Great Seal affixed to the three Laws enacted this Afternoon, and the ſame depoſited in the Rolls Office, reported, that they had done it accordingly.

The Provincial Commiſſioners reported, that in Purſuance of the Recommendation of the Houſe, they had, notwithſtanding the Public Money ſubjected to the Governor's and their Diſpoſal has been long ſince expended, beſpoke Beds, Blankets, and other Neceſſaries, for the King's Troops, on the Credit of the Government, and ordered the ſame to be ſent to the Barracks with all convenient Diſpatch.

The Houſe taking into Conſideration the Governor's poſitive Refuſal of the Bill for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, &c. after ſome Time ſpent therein,

Reſolved, That this Houſe hath repeatedly offered to the Governor a Bill granting an *Hundred Thouſand Pounds* to his Majeſty, for furniſhing the Crown with an Aid of Two Thouſand Seven Hundred Men, to act in Conjunction with his regular Troops in the important Operations now carrying on for the Defence of *America*; which Bill the Governor hath as often rejected.

Reſolved, That the ſaid Bill is juſt and reaſonable, and not repugnant to the Laws of *England*, but as nearly agreeable thereto as our different Circumſtances will admit.

Reſolved, That the Right of granting Supplies to the Crown is in the Aſſembly alone, as an eſſential Part of our Conſtitution; and the Limitation of all ſuch Grants as to the Matter, Manner and Time, is only in them.

Ordered, N. C. D. That the ſaid Bill, entituled, *An Act for granting to his Majeſty the Sum of* One Hundred Thouſand Pounds, *&c.* together with the Governor's propoſed Amendments thereon, be tranſmitted, by the Committee of Correſpondence, under the Great Seal, to *Benjamin Franklin*, Eſq; and the other Agents for this Province, to be by them immediately laid before the King and Parliament now ſitting, if they ſhall receive the ſame in Time.

Then the Houſe adjourned to *Tueſday*, the Eighteenth of this Inſtant, at Four o'Clock in the Afternoon.

Adjournment.

April 18. *Poſt Meridiem* The Houſe met, purſuant to their Adjournment.

The Governor, by the Secretary, ſent down a Meſſage to the Houſe, with a Letter from Captain *Thompſon* to Colonel *Armſtrong*, dated at Fort *Loudoun*, *April* 9, 1758, containing Intelligence of the Arrival of forty *Cherokee Indians* at ſaid Fort: Alſo an Extract of a Letter from Colonel *Armſtrong* to the Governor, reſpecting the Manner in which the ſaid *Indians* are to be treated by this Government.

The Meſſage from his Honour being read, follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

' LIEUTENANT Colonel *Armſtrong* has informed me by Expreſs of the Arrival ' of forty *Cherokees* at Fort *Loudoun*, and that more are daily expected; and deſires ' he may receive my immediate Directions in what Manner they are to be treated and ' ſupplied, as they are come without Arms or Clothes. The Commander in Chief is ' made acquainted with their Arrival, and I have requeſted, that as theſe *Indians* come ' for the general Service of the Colonies, his Excellency would be pleaſed to order Pro- ' viſion to be made for them; but there not being Time to wait the General's Anſwer, ' without running too great a Riſk of diſguſting theſe friendly Warriors, I earneſtly

' deſire

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'desire you would enable me forthwith to send them the Necessaries mentioned in the 'Letter now laid before you.

April 18, 1758. *WILLIAM DENNY.*"

The House resumed the Consideration of the pressing Necessity of an immediate Grant of Money to his Majesty's Use, together with the Governor's Refusal to pass a Bill lately offered to him for that Purpose, unless the Proprietary Estate be therein exempted from the Taxes imposed on other Estates within this Province for the Defence thereof, and, after some Debate thereon,

Resolved, That a Bill be brought in for granting to his Majesty the Sum of *One Hundred Thousand Pounds* to be raised by a Tax on all Estates, real and personal, and Taxables, within this Province, in the Manner prescribed by the Act for granting *Sixty Thousand Pounds* to the King's Use; and the Supplement to the said Act for granting to his Majesty the additional Sum of *One Hundred Thousand Pounds*; and it is referred to Mr. *Norris*, Mr. *Galloway*, Mr. *Masters*, Mr. *Melvin*, Mr. *Morton*, Mr. *Saunders*, Mr. *Allen* and Mr. *Yorke* to prepare and bring in the same.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

Mr. Speaker, and several of the Members, met pursuant to Adjournment, but a Quorum not appearing, they adjourned to Three o'Clock, *P. M.* *April* 19. Adjournment

A Quorum of the Members met. *Post Meridiem*

The Committee appointed to prepare and bring in a Bill for granting *One Hundred Thousand Pounds* to his Majesty's Use, *&c.* reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being once read, was, by special Order, read the second time, and ordered to be transcribed.

Then the House adjourned to Twelve o'Clock To-morrow. Adjournment

The Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. being transcribed, was read the third time, and compared at the Table. *April* 20.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Saunders* and Mr. *Plumsted* wait on the Governor therewith, and desire he will be pleased to take the same into immediate Consideration, and acquaint the House with his Result thereon, as they incline to adjourn as soon as possible.

Then the House adjourned to Five o'Clock, *P. M.* Adjournment

The Members appointed to wait on the Governor with the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. reported, they had delivered the same according to Order; and requested he would be pleased to give all convenient Dispatch thereto; in Answer to which his Honour was pleased to say, he would take the said Bill into immediate Consideration. *Post Meridiem*

The House then resumed the Consideration of the unhappy Necessity, by which they had been compelled, contrary to Equity, and the Usage of their Mother Country, to continue and extend an Exemption of the Proprietary Estate, by the Bill now sent up to the Governor, from its just Proportion of Taxes, in the Manner the same are laid on other Estates within this Province, in order to comply with his Majesty's most reasonable Demand of Aid from this Colony towards the general Defence of *America*, and, after some Time spent therein,

Ordered, That Mr. *Norris*, Mr. *Galloway*, Mr. *Masters*, Mr. *Strickland*, Mr. *Morton* and Mr. *Webb* be a Committee to draw up Resolves upon the said unavoidable Exemption of the Proprietary Estate in the said Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

A Petition from divers of the Inhabitants of *Lancaster* County was presented to the House and read, setting forth the great Inconvenience of being obliged to attend the Issue of Causes, commenced in their own County Courts, at the Supreme Court held in the City of *Philadelphia*, to which they are frequently removed; and praying the House would take the said Hardship into Consideration, and make such Provision therein as they shall think proper. *April* 21.

The House resumed the Consideration of the Bill for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, and having withdrawn the Alteration made therein, pursuant to the Governor's Amendment to the said Bill,

Resolved, That the same be returned to the Governor, as it was at first presented to him by this House, for his further Consideration and Concurrence.

The Bill for granting to his Majesty a Duty of Tonnage on Ships and other Vessels, *&c.* being then taken up again, was in Part read the second time.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The Governor, by the Secretary, sent down the Supply Bill, with Amendments thereon, and the following verbal Message, *viz.* *Post Meridiem*

" The Governor returns the Bill, entituled, *An Act for granting the Sum of* One

1758. *April* 21.

" Hundred Thouſand Pounds *to his Majeſty's Uſe*, &c. with Amendments, and com-
" mands me to acquaint the Houſe, that he has received from Mr. *Lardner* an Ac-
" count of the Sum of *Two Thouſand Pounds*, expended by him for the Uſe of the Pro-
" vincial Frigate; but has not received from Mr. *Fox* and Mr. *Baynton* their Accounts
" of the Sums of *Five Thouſand, Three Thouſand Seven Hundred*, and *Eight Thouſand*
" *Pounds*, paid into their Hands, in Virtue of Orders drawn on the Truſtees of the
" Loan-Office.

" The Governor deſires the Houſe will furniſh him with a Liſt of the Orders men-
" tioned in the Bill to be drawn on the Provincial Treaſurer."

The Governor's ſaid Amendments being read, and conſidered, it was reſolved, upon the Queſtion, by a great Majority, that the Houſe will adhere to the Bill, and return it to his Honour.

Ordered, That Mr. *Morton* and Mr. *Wayne* wait upon the Governor therewith, and acquaint him the Houſe adhere to the Bill, and deſire he will paſs the ſame as now preſented to him.

Adjournment *April* 22.

Then the Houſe adjourned to Nine o'Clock To-morrow Morning.

The Members appointed to wait on the Governor with the Supply Bill, and Meſſage of laſt Night, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would take it into his immediate Conſideration.

The Houſe again took up the Tonnage Bill, and ſpent ſome Time thereon.

The Governor, by Mr. Secretary, ſent down the Supply Bill, with a written Meſſage to the Houſe, which was read, and is as follows, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

' DURING the Courſe of your late Seſſions, I have had too frequent Occaſion to
' lament the melancholy State of this diſtreſſed Country, the unſeaſonable Animo-
' ſities wherein you have been engaged, your particular ill Treatment of myſelf, and your
' unaccountable Delays to turn your Attention to the important Concerns of the pre-
' ſent Campaign, till it is almoſt too late to be of any real Uſe.

' You have now been ſitting near four Months, with an Intermiſſion only of ten
' Days; during which Space, you have been repeatedly called upon for the neceſſary Sup-
' plies of the current Year. You have had the Secretary of State's Letter on that and
' other important Subjects laid before you. You have ſeen the Aſſemblies of the Pro-
' vinces around you meeting, and with exemplary Zeal and Diſpatch furniſhing their
' reſpective Contingencies, and returned to their ſeveral Homes; while your Part, to
' the unſpeakable Detriment of the general Service, remains yet undetermined and un-
' ſettled. It is true you have not been wanting in Profeſſions of Loyalty, Duty and
' Zeal; and if theſe could paſs for real Merit, you have ſuffered none to excel you. But
' Actions ſpeak louder than Words, and how far your Actions and Profeſſions have cor-
' reſponded, need hardly be ſhewn.

' Three Months of your Sitting were expired before I received any Money Bill from
' you, and the firſt you ſent me was ſo framed that you knew I could not paſs it, being
' only calculated to keep up Diſputes, although the Seaſon was too far advanced to ad-
' mit of that Delay, and the Operations of the Campaign in theſe Parts in a great Mea-
' ſure ſuſpended on our Account.

' My principal Objections to that Bill, as appears from my Meſſages of the Third
' and Seventh Inſtant, were two. The firſt related to the unjuſt Method propoſed for
' taxing the Proprietary Eſtate; and the ſecond to the Appointment of the Provincial
' Commiſſioners from among the Members of your own Houſe, accountable only to
' yourſelves; a Practice liable to ſo many glaring Exceptions, that it muſt require an
' extraordinary Degree of Hardineſs even to propoſe it.

' The former of theſe Points you have given up in the preſent Bill, which I received
' the Twentieth Inſtant, having totally exempted the Proprietary Eſtate, and chuſing
' rather to deprive your Conſtituents entirely of the Benefit that would ariſe from an
' equal Taxation of that Eſtate, than not ſubject it entirely to your own Mercy in the
' Mode you propoſe.

' As to the latter Point, although I refuſed your Bill Yeſterday on that Score, yet you
' ſtill adhere to it, and ſeem determined to ſee the Province brought to the utmoſt De-
' ſtruction, and all the Meaſures concerted by our gracious Sovereign, for our Relief,
' defeated, rather than the Fingering of the public Money ſhould not be in a few leading
' Men of your Houſe, who, in various Inſtances, have abuſed their former Truſt, diſre-
' garded me, and acted in open Contempt of Law.

' Theſe are hard Charges, Gentlemen, but I have made them publicly, and if theſe
' Men regarded their own Characters, or if you had that Regard which might have been
' expected for the Honour of your Houſe, you would either have obliged them to ex-
' hibit their Accounts, when required, or you would have left them out of the preſent
' Bill, and inſerted ſome other unexceptionable Men in their Stead. But all this you

' have

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'have ſtill declined to do, and what renders the Matter ſtill more ſuſpicious, is your in-
'ſerting a Clauſe in the Bill, notwithſtanding my repeated Proteſtations and Objections
'to the contrary, intimating, *that they have, with my Conſent, already expended the Sum*
'*of* One Hundred Thouſand Pounds.

'This, Gentlemen, is indeed a ſhort Way of ſettling Accounts, and is one of the
'boldeſt Impoſitions that perhaps was ever offered to a Governor. From your Obſtinacy,
'and the hard Neceſſity of the Times, I am reduced to this Dilemma: I muſt ſubſcribe
'my Name to a Falſhood, ſhelter theſe Men under an Act of Aſſembly, and preclude
'myſelf and the Public from calling them to any future Account, or ſuffer all the Mea-
'ſures concerted for your Safety to ſtand ſtill; the numerous Body of *Indians*, come to our
'Aſſiſtance, to return Home; and the preſent Campaign to be as inactive as the former,
'ſo far, at leaſt, as regards the Part theſe Southern Colonies are to act; and how fatal that
'might prove to the grand Cauſe of Liberty and Religion, which ought to be ſo dear to
'us, is but too obvious. The Expence of the Mother Country and the Neighbour
'Colonies, to ſtrike a deciſive Blow now, is too great to be continued, and if the preſent
'Opportunity is neglected, we may wiſh in vain to recall it, when it will be too late.

'Wherefore, under theſe Conſiderations, and to ſhew my Regard for his Majeſty's
'Service, I do agree to paſs your Bill, as it ſtands, if you think proper ſtill to adhere to it,
'and ſhall be ready to attend you for that Purpoſe in the Council Chamber, at any Time
'you will appoint this Day, in order that there may be no further Delays. But I muſt
'do it with a ſolemn Proteſtation to all the World, that it is contrary to my Conſcience,
'and in Violation of Truth, that I am obliged to ſay, that the former *Hundred Thouſand*
'*Pounds* is expended with my Conſent; not to mention the Obſcurity of the Bill, and
'other material Objections, which I waved, for the Sake of Diſpatch.

April 22, 1758. *WILLIAM DENNY.*"

The Houſe having taken the Governor's Meſſage into Conſideration,

Ordered, That Mr. *Morton* and Mr. *Wayne* wait on the Governor, and acquaint him, that as it is impracticable to get the Supply Bill, juſt ſent down by his Honour to the Houſe, engroſſed Time enough to be paſſed this Afternoon, they have examined the returned Copy of the ſaid Bill, and find it very fair and legible, and as it is not unprecedented to make uſe of ſuch inſtead of an engroſſed Copy, the Houſe will attend the Governor at any Hour he may be pleaſed to appoint for enacting the ſame into a Law.

The Members return and report, they had waited on the Governor, and delivered the Meſſage of the Houſe according to Order; and that his Honour was pleaſed to ſay, he would attend immediately in the Council Chamber for that Purpoſe.

Ordered, That Mr. *Webb* and Mr. *Yorke* do ſee the Great Seal affixed to the ſaid Bill, when paſſed into a Law, and the ſame depoſited in the Rolls Office.

A Meſſage by Mr. Secretary:

SIR,

" The Governor deſires the Attendance of Mr. Speaker and the Houſe in the Council " Chamber, in order to enact the Bill, to which he hath given his Aſſent, into a Law."

Then Mr. Speaker, with the whole Houſe, waited on the Governor, and being returned, the Speaker reſumed the Chair, and reported, that the Houſe had waited on his Honour with the Bill, entituled, *An Act for granting the Sum of* One Hundred Thouſand Pounds *to his Majeſty's Uſe, and for ſtriking the ſame in Bills of Credit, and for continuing the ſeveral Acts of Aſſembly of this Province herein after mentioned for ſinking the Bills of Credit ſo to be ſtruck, at the Times and in the Manner herein after directed and appointed*; to which his Honour had been pleaſed to give his Aſſent, by enacting the ſame into a Law.

Ordered, That Mr. *Norris*, Mr. *Fox*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Walker*, Mr. *Morton* and Mr. *Saunders* be a Committee to prepare and bring in an Anſwer to the Governor's Meſſage of this Day, and his other Meſſages ſtill unanſwered.

Then the Houſe adjourned to *Tueſday* next, at Four o'Clock in the Afternoon. Adjournment

April 25. *Poſt Meridiem*

The Houſe met, purſuant to their Adjournment.

The Members appointed to ſee the Great Seal affixed to the Act for granting to his Majeſty the Sum of *One Hundred Thouſand Pounds*, &c. and the ſame depoſited in the Rolls Office, reported, they had done it according to Order.

The Petition of a Number of diſtreſſed Women, Wives of Soldiers belonging to his Majeſty's Thirty-fifth Regiment of Foot, lately tranſported from this City to *Halifax*, was preſented to the Houſe and read, ſetting forth their neceſſitous Circumſtances, and praying they may be ſent, at the Expence of the Government, to their Huſbands at *Halifax*.

The Houſe taking into Conſideration, and commiſerating, the forlorn and deſtitute Condition of the ſaid Petitioners,

Ordered, That the Clerk do acquaint them, that the Houſe recommend to them to lay their Petition before the Governor, and let him know, that the Houſe, having conſidered

it,

1758. it, are willing the Expence of tranſporting them to their Huſbands at *Halifax* ſhould be defrayed by the Government, if his Honour is conſenting thereto.

April 25. Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 26. The Houſe being informed that Meſſieurs *William Moore* and *William Smith*, committed to the public Goal for Breach of Privilege, and a Contempt to this Houſe, had, during the late Receſs thereof, been releaſed by a Writ of *Habeas Corpus*, took the ſaid Releaſement into Conſideration; and, after ſome Time ſpent therein,

Ordered, That the ſaid *William Moore* and *William Smith* be again taken into Cuſtody of the Serjeant at Arms belonging to this Houſe, and that the Clerk do make out Warrants accordingly.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Warrants for apprehending and re-committing the ſaid *Moore* and *Smith* to the Cuſtody of the Serjeant at Arms, being made out, and ſigned by Mr. Speaker, the Serjeant was ordered in, and the ſame delivered to him from the Chair.

The Houſe then went upon the Conſideration of the Tonnage Bill, which being read the ſecond time, was agreed to, and ordered to be tranſcribed.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

April 27. A Petition from the Inhabitants of the Town of *Reading*, and others, in *Berks* County, was preſented to the Houſe and read, ſetting forth the great Diſtreſs of the ſaid County, from certain late Ravages committed therein by the *Indians*, and other Enemies, in Conſequence of which, many of the Settlers have abandoned their Plantations, and praying immediate Succour, leſt that Part of the Country be wholly deſerted by its Inhabitants, from an Apprehenſion of further Depredations and deeper Incurſions of the Enemy upon them.

The Houſe taking the ſaid Petition into Conſideration, and truly commiſerating the Sufferings and expoſed Situation of the ſaid People, and being of Opinion their Petition ought to be laid before the Governor, with a Recommendation from the Houſe to his Honour, to order a Detachment of the Provincial Troops to be ſtationed in the ſaid County, for their Protection, the following verbal Meſſage was drawn at the Table, *viz.*

May it pleaſe your HONOUR,

"WE have juſt received a Petition from the diſtreſſed Inhabitants of the Town of "*Reading*.———Their unhappy Situation ſeems to be more eaſily conceived than de- "ſcribed, occaſioned by the Want of a due Exertion of the military Force in that Quar- "ter: We therefore think it our indiſpenſable Duty to lay the Petition before your Ho- "nour, and earneſtly entreat you would give Orders that ſome of the Provincial Forces "be ſent to the immediate Relief of that and the neighbouring County of *Lancaſter*."

A Petition from *James Child*, of the City of *Philadelphia*, was preſented to the Houſe and read, praying that he may be appointed Collector of the Duties of Tonnage, *&c.* to be laid by the Bill now under Conſideration of the Houſe.

The ſaid Bill being tranſcribed, was read the third time, and compared at the Table.

Reſolved, That the ſaid Bill do paſs.

Ordered, That Mr. *Walker* and Mr. *Trimble* wait on the Governor therewith; as alſo with the Bill for extending ſeveral Sections of an Act of Parliament, paſſed in the Thirtieth Year of the preſent Reign, entituled, *An Act for puniſhing Mutiny and Deſertion*, &c. and deſire his Honour's Aſſent to the latter as now preſented to him: And alſo deliver the Petition from the Inhabitants of *Reading*, together with the foregoing verbal Meſſage from the Houſe thereon.

Adjournment Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem Mr. Secretary acquainted the Houſe, that his Honour deſired the Company of Mr. Speaker, and the Members of Aſſembly, from his Houſe to the Market-place, to be preſent at publiſhing a Proclamation of the Encouragement offered by this Government to ſuch able-bodied Men as ſhall voluntarily inliſt in his Majeſty's Service, for the enſuing Campaign: Whereupon the Houſe adjourned to Ten o'Clock To-morrow Morning, and attended the Governor, as requeſted.

Adjournment

April 28. The Members appointed Yeſterday to wait on the Governor with the two Bills, together with the *Reading* Petition, and the verbal Meſſage from the Houſe thereon, reported, they had delivered the ſame according to Order; to which his Honour was pleaſed to ſay, he would take the ſaid Bills into immediate Conſideration, and that as the Inhabitants of *Reading* had preferred a Petition to him, of like Import, a few Days before, he had provided for their Protection and Security, by ordering a Company of an Hundred Highlanders into that Part of the Province.

The Committee appointed to prepare and bring in an Anſwer to the Governor's Meſſage of the Twenty-ſecond Inſtant, reported, they had eſſayed a Draught for that Purpoſe, which being read by one of the Committee, at his Chair, was delivered at the Table, and referred to further Conſideration.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Governor, by Mr. Secretary, ſent down the Bill for granting to his Majeſty a Duty of Tonnage, *&c.* with a verbal Meſſage, that his Honour was ready to paſs the ſame, whenever

whenever preſented to him for that Purpoſe; and alſo, that on the Governor's Application to General *Forbes*, he has engaged to order an Hundred Men, with proper Officers, to march to *Reading* from hence in a few Days, and, on all Occaſions, the General will take Care that the Country ſhall be protected to the utmoſt of his Power.——The Secretary further acquainted the Houſe, that the Governor recommended the deſtitute and ſuffering Caſe of about Seventy poor Women (Soldiers Wives) to their Conſideration; and deſires they would make ſuch Proviſion for their Relief, as they may judge moſt proper. 1758. *April* 28.

The Anſwer to the Governor's Meſſage of the Twenty-ſecond Inſtant was again read, and re-committed to the Committee which brought it in, for ſome Alterations recommended by the Houſe.

The Houſe having taken into Conſideration General *Forbes's* kind Aſſurance to this Province, of Protection to the utmoſt of his Power,

Ordered, That Mr. *Maſters*, Mr. *Yorke* and Mr. *Allen* do wait on the General with the Thanks of this Houſe for ſo obliging an Inſtance of his Care and Regard to the Province.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Gentlemen appointed to wait on General *Forbes*, and return him the Thanks of the Houſe, reported, they had done the ſame according to Order; to which he was pleaſed to ſay, he was very ſenſible of the Honour the Houſe had done him; that he was here by his Majeſty's Command, and was bound by Duty as well as Inclination to do every Thing in his Power for his Majeſty's Service, and the Protection of the Country; aſſured the Houſe, that nothing ſhould be wanting on his Part, and hoped that they, and every one, in their different Stations, would exert themſelves on this Occaſion, in which all were ſo deeply intereſted. *April* 29.

The Governor, by the Secretary, returned the Bill for extending ſeveral Sections of an Act of Parliament, paſſed in the Thirtieth Year of the preſent Reign, entituled, *An Act for puniſhing Mutiny and Deſertion*, &c. with a verbal Meſſage, that his Honour was ready to paſs the ſame whenever preſented to him for that Purpoſe: And that he alſo recommended to the Houſe to appoint a Barrack-Maſter, to be anſwerable for ſuch of the Neceſſaries required in Quarters, as have been furniſhed to the Barracks, at the Expence of the Province, and ſhall be left there after the Departure of the Troops.

Mr. Secretary likewiſe, by Order of the Governor, laid before the Houſe a Letter from General *Forbes* to his Honour, requiring the Appointment of a Provincial Treaſurer, or Paymaſter, to attend him, with a Sum of Money ſubject to his Orders, for defraying contingent Expences; and informed the Houſe, that the Governor deſired they would comply with the General's Demand, and enable him to give a ſatisfactory Anſwer thereto.

Ordered, That the Bill brought down by the Secretary, to which the Governor hath given his Aſſent, be immediately engroſſed.

Ordered, That M. *Roberdeau* and Mr. *Saunders* wait on the Governor, and acquaint him, that the Houſe have complied with all the Demands of the Crown, communicated to them by the Secretary of State's Letter, and have appointed Commiſſioners to diſpoſe of the Money granted for thoſe Purpoſes, with the Governor's Approbation:——That, as the Payment of the Troops was Part of what was requeſted by his Majeſty of this Province, they doubt not the Commiſſioners will take Care that a Paymaſter attend on the Forces under the General's Command, and that they will in all other Reſpects think it their Duty to comply with the Law, as the Rule of their Conduct: That the Houſe, being informed, by three of their Members, that the General had mentioned to them, it would be of ſingular Service in the military Operations to the Weſtward, to be furniſhed with the additional Number of Fifty Light Horſe, have recommended to the Commiſſioners to comply with the General's Requeſt herein, provided they do not thereby encreaſe the Number of Men granted by Law: That they deſign, before their Adjournment, to appoint a Barrack-Maſter, and as they have ordered the two Bills, to which the Governor hath given his Aſſent, to be engroſſed, the Houſe will be ready to wait on his Honour at any Time this Afternoon he may be pleaſed to appoint, to ſee the ſame enacted into Laws.

Then the Houſe adjourned to Four o'Clock, *P. M.* Adjournment *Poſt Meridiem*

The Members appointed to wait on the Governor, reported, they had delivered the Meſſage of the Houſe according to Order; and that his Honour was pleaſed to ſay, he would attend in the Council Chamber at Five o'Clock, to enact the aforeſaid two Bills into Laws. And the ſaid Bills being engroſſed,

Ordered, That Mr. *Roberdeau* and Mr. *Saunders* do meet the Members of Council, to compare the engroſſed Copies thereof with their Originals.

The Gentlemen appointed to join with the Members of Council in comparing the ſaid engroſſed Bills with their Originals, reported, they found them to agree.

A Meſſage by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Members, im-
"mediately in the Council Chamber."

1758. *April* 29. Then Mr. Speaker, with the whole Houſe, waited on the Governor, and being returned, the Speaker reſumed the Chair, and reported, they had waited on the Governor with the two following Bills, *viz. An Act for granting to his Majeſty a Duty of Tonnage upon Ships and Veſſels; and alſo certain Duties upon Wine, Rum, Brandy and other Spirits; and a Duty upon Sugar, for ſupporting and maintaining the Province Ship of War, for protecting the Trade of this Province, and other Purpoſes for his Majeſty's Service.* Alſo, *An Act for extending ſeveral Sections of an Act of Parliament, paſſed in the Thirtieth Year of the preſent Reign, entituled,* "*An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters.*"

To both which Bills the Governor had been pleaſed to give his Aſſent, by enacting the ſame into Laws.

Ordered, That Mr. *Roberdeau* and Mr. *Saunders* ſee the Great Seal affixed to the ſaid Laws, and the ſame depoſited in the Rolls Office.

Adjournment. Then the Houſe adjourned to *Monday* next, at Three o'Clock in the Afternoon.

May 1. *Poſt Meridiem* Adjournment. Mr. Speaker, and Twenty-two of the Members, met, purſuant to Adjournment; but a Quorum not appearing, they adjourned to Nine o'Clock To-morrow Morning.

May 2. The Houſe met, purſuant to their Adjournment.

The Members appointed to ſee the Great Seal affixed to the two Laws paſſed on *Saturday* laſt, and the ſame depoſited in the Rolls Office, reported, they had done it according to Order.

The Committee to whom the Anſwer to the Governor's Meſſage was committed for ſome Alterations, reported, they had made an Eſſay for that Purpoſe, which they delivered at the Table, and the ſame being in Part read, and agreed to, the Houſe adjourned

Adjournment. to Three o'Clock in the Afternoon.

Poſt Meridiem The Anſwer to the Governor's Meſſage of the Twenty-ſecond of laſt Month, and his other Meſſages of a prior Date, being read through by Paragraphs, was agreed to, and ordered to be tranſcribed.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

May 3. The Anſwer of the Houſe to the Governor's Meſſage of the Twenty-ſecond of laſt Month, *&c.* being tranſcribed, was compared at the Table, and follows in theſe Words, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. AT this Time of general Calamity and Diſtreſs of the Colonies, when every Liberty, both civil and religious, is at Stake, we were determined to wave every Thing that might tend to create new Diſputes between the two Branches of the Legiſlature, and therefore have poſtponed anſwering your ſeveral Meſſages, and rather ſubmitted, for a Time, to lay under the Load of Reflections and Calumny they contain, than, by any Means, impede his Majeſty's Service, or obſtruct the generous Meaſures he has been pleaſed to concert for our Preſervation and Defence. But the Aids are now granted to the Crown, and your Meſſage of the Twenty-ſecond ult. is of ſuch an uncommon and extraordinary Nature, a Regard for our Characters, Truth, and the Public Welfare, will no longer permit us to be ſilent; though the Paſſion and Injuſtice it contains are ſo evident, 'tis more than probable that it will ever carry with it a full Remedy againſt the unhappy Diſpoſition your Honour has diſcovered to deprive us of our juſt Rights, as a Branch of the Legiſlature, and, as far as lies in your Power, to ruin our Reputations as Individuals, by calumniating and condemning, unheard, particular Members of our Houſe, without the leaſt Foundation. How far this Conduct correſponds with the large Profeſſions of Juſtice you made in the Caſe of *William Moore*, that you would "condemn no Man unheard," nor "without giving him and his Accuſers a full Hearing, Face to Face," we leave your Conſcience and Reaſon to determine, declaring, that they appear to us the moſt glaring Contradictions.

You have been pleaſed to lament the melancholy State of this diſtreſſed Colony, and the "unſeaſonable Animoſities we have been engaged in;" at which we cannot help being ſurpriſed, ſince it is known to almoſt every Inhabitant, that you have long had it in your Power to relieve us, in a great Meaſure, from the firſt, and, in no ſmall Degree, contributed to the ſecond. Actions ſpeak louder than Words. To theſe we appeal. Will it not appear ſtrange, that this Government, entruſted to your Honour's Care and Protection, has expended, ſince your Adminiſtration, upwards of *One Hundred Thouſand Pounds*, in ſupporting three Battalions of Troops under your Command; and yet has received very little Defence againſt the Depredations of the moſt barbarous and cruel Enemy.—Was your Concern as ſincere as you profeſs, would you have acted in Violation of the Law, pointing out the only effectual Mode of defending the People, in not iſſuing Orders "for making Incurſions into the Enemy's Country?" Would you have neglected the military Service, upon which the Lives of Thouſands depended; permitted the Officers and Men to remain inactive in the Forts; ſuffered the Inhabitants to be murdered and captivated from Time to Time, when every Mean in your Power ought to have been

exerted

exerted for their Defence and Preservation? These are Facts so notorious, so sensibly felt by our bleeding Fellow-Subjects that we cannot but doubt of the Sincerity of your Concern at a Distress, the Continuation of which has too long been owing to your own Neglects and Omissions. 1758. *May* 3.

As to the "Animosities" you are pleased to say "we have been engaged in," we know not what they mean, unless it be the Trying and Punishing the Author and Abettor of the most virulent Libel that ever was published against the Representatives of a People, and Rights of Government. To enquire into, and punish, this insolent Attack on the Rights of the Subject, was our indispensable Duty. This was concluded long before the Demands of the Crown, made by Secretary *Pitt's* Letter, were communicated to us, and therefore could not impede or affect our Aids to his Majesty for the ensuing Campaign, but rather proved advantageous to the common Cause, by preventing the House from rising before we had received the Secretary of State's Letter. However, insolent as this Attack, and virulent as the Libel was, your Honour, and some of your Council, thought fit to take the Authors under your Protection, and therefore we are not surprised at your thinking the Enquiry "unseasonable," since it is natural for a Man to call every Measure so that tends to support those Rights which he has so frequently shewn a Disposition, during his short Administration, to abridge and destroy.

Your Honour is next pleased to say, that "we have delayed to turn our Attention to "the important Concerns of the present Campaign;" a groundless Charge, and not more easily made than refuted. The first Intimation we had of the Operations to the Westward, and of the Assistance expected from us, was by Lord *Loudoun's* Letter, laid before the House the Twentieth of *February*; immediately thereupon our Proportion of the Eight Hundred Men demanded was resolved on with the greatest Chearfulness, and the necessary Sum for their Support voted. On the Eighth of *March* we received his Majesty's paternal and animating Instructions, informing us of the Measures he was determined to pursue, for the Preservation of this and his other Colonies and desiring us to exert the Strength and Abilities of the Province on this important Occasion. It was with Impatience we waited to know what Part it was expected we should act in these interesting and necessary Operations; but we did not receive the least Intimation of it before the Eighteenth of *March*, when General *Abercrombie's* Letter was laid before us, mentioning the Number of Troops required of this District of the Colonies, and therefore could not come to any determinate and certain Conclusion before. Eleven Days after we presented your Honour with a Bill for furnishing Two Thousand Seven Hundred Men, to act in Conjunction with his Majesty's Troops to the Westward. A Bill in its Nature reasonable and just, adapted to the Circumstances of the Province, and a Bill, which your Duty to his Majesty, and the People entrusted to your Care, would have obliged you to pass, had not those sacred Obligations been constrained to submit to the most tyrannical and unjust Proprietary Instructions. Had your Honour passed this Bill when presented, as you ought to have done, we should have been the first of the Western District who had given exemplary Proofs of an hearty Zeal for his Majesty's Service, and a chearful Compliance with his gracious Demands. But this reasonable Bill you thrice rejected, as you inform us, "by the unanimous Advice of your Council," and was resolved, by taking an Advantage of our present bleeding and distressed Situation, either to exempt the Proprietaries from bearing their just Proportion of the Tax, to defend their own Estates, or effectually to prevent us from complying with the most interesting Demands of the Crown. So that it seems his Majesty's Province would have been defenceless, his gracious Demands rejected, and the glorious Plan, concerted for the Defence of these Colonies, frustrated, had the Representatives of the People, with the same Inflexibility, adhered to their natural Rights and Privileges, as your Honour has to the slavish Instructions of the Proprietaries, impracticable in themselves, arbitrary in their Nature, and abhorrent to every Rule of common Justice. Thus all the Delay from that Time can be only imputable, with Justice, to your Honour and Council, who have been so regardless of his Majesty's Interest and Service, and so fearful to infringe the Proprietaries Instructions, as to reject a reasonable and most necessary Bill at this critical Juncture, because their Estates were to bear a Proportion of the Tax, to defend their own Property.

Your Honour further asserts, "That the first Bill we sent you, was so framed, we "knew you could not pass it." How you should be acquainted with our Knowledge and Thoughts, we cannot conceive. We beg Leave to inform you, that in this you are under a great Mistake. We well knew your Honour is bound to obey such Instructions, from Time to Time, as are given you by the Proprietaries, which are liable to Alterations and Changes; and therefore we could not know but you might have received Orders to have passed a Bill in which their Estates were included. And we could not suspect that his Majesty had a Subject so destitute of Loyalty and Gratitude to the best of Kings, and regardless of every Rule of common Justice and Equity, as to continue their Instructions to the contrary. Is it possible, that the Proprietaries can still insist that their great Estates should be protected at the Expence of his Majesty, and every Person within his Dominions,

1758. May 3. Dominions, capable of paying Taxes? Could we conceive that they would venture to claim a Privilege no Peer of the Realm, nor even Royalty itſelf, ever pretended to? If theſe Things are reaſonable, then we might have known that the Bill we preſented was ſuch as "your Honour could not paſs;" if otherwiſe, we ought to have been as well acquainted with the Proprietaries unjuſt Diſpoſition, as you ſeem to be, to have believed it.

But your Honour would fain perſuade the World, that you are not againſt taxing the Proprietary Property, and are pleaſed to ſay, that "one of the principal Objections to this "Bill related to the unjuſt Method propoſed for taxing their Eſtates." Let us enquire what this "unjuſt Method" was. In the Bill the Return of Property was to be procured and made by the Conſtables of the reſpective Townſhips, and Aſſeſſors, the latter of whom were to be Freeholders, and choſen by the People. By them, and the County Aſſeſſors, the Eſtates of the Proprietaries, and all others, were to be taxed, by the ſame Method and Rule, and in the ſame Proportion. Theſe have ever been Men of Character and Integrity; and being under the awful Obligation of an Oath, or ſolemn Affirmation, to diſcharge their Duty, no one can preſume they would do any Man Injuſtice in the Taxation. But ſurely our Proprietaries, in the Characters of private Subjects, may venture to ſubmit to a Mode of Taxing, attended with equal Security and Equity, with that by which the Peers of *Great-Britain*, and their gracious Sovereign, are, by a long Series of Precedents, rated and aſſeſſed. All Money Bills take their Riſe with the Commons. Supplies cannot be raiſed without their Grant. The King, and Houſe of Lords, do not pretend to the Right of amending Money Bills. They ever ſubmit their Eſtates to be aſſeſſed and rated by Perſons choſen by the Commiſſioners, who are nominated by the Commons, and have no Voice in the Election, or Negative on ſuch Perſons. Where then is the eſſential Difference between, or greater Security in, their Mode of Taxing, than that pointed out in our Bill? 'Tis really no more than the Commiſſioners, who are nominated by the Repreſentatives of the People, chuſe the Aſſeſſors in the one Caſe, and in the other they are elected by the People themſelves. But nothing leſs will ſatisfy the Proprietaries than the inveſting their Deputies with a Share in the "Nomination and Ap-"pointment" of the Aſſeſſors.——We entreat your Honour would inform us what Share would ſatisfy them. Is it a ſingle Vote? Or do they claim as many Votes as all the reſt of the People in the Province, or one Half of the Choice? Or are we to preſent to your Honour Bill after Bill, alter and change the Aſſeſſors therein to be named, until we ſhall fix on ſuch Perſons as you ſhall approve of, and ſuch as will nearly anſwer all the Purpoſes of totally exempting the Proprietaries Eſtates in the Bill? This would be giving you the ſole Nomination of them; for we can ſee no Difference between a Perſon's chuſing an Aſſeſſor himſelf, and having a Power to reject, until the Perſon he likes be preſented to him. If either of theſe be the Meaning of your Meſſage, you will excuſe us, if we ſay, the Propoſal is anti-conſtitutional, and without Precedent in our Mother Country, and is the more unreaſonable in our Proprietaries, as it is claiming a Right which the Nobility of the Realm, or his Majeſty himſelf, do not pretend to. And as your Honour muſt know we cannot conſent to it, conſiſtent with our Duty to the People we repreſent, it muſt be mere Evaſion and Illuſion, calculated only to exempt the Proprietary Eſtate from bearing a juſt Proportion, and to throw an additional Weight of Taxes on our Mother Country, the diſtreſſed Freemen of this and the neighbouring Provinces. This will appear ſtill more evident, when the Part of the Proprietaries Eſtate, which your Honour propoſes to tax in this extraordinary Way, is conſidered. You aſſert, that the "Pro-"prietaries are willing that every Tract of Land within the Province, ſurveyed and ap-"propriated for their Uſe, ſhould bear an equal and proportionable Share of any Burdens "that may be impoſed on the People, in the neceſſary Defence of this and his Majeſty's "other Colonies." And is this all the Property the Proprietaries will ſuffer to be aſſeſſed for the immediate Preſervation of their own Fortunes? Muſt the high Quit-rents, ariſing from ſeveral Millions of Acres; the large Eſtate in Ground-rents, and their other conſiderable Property in this Province, be exempted from bearing a proportionable Part of this neceſſary Burden? This would be truly the Caſe, ſhould we loſe all Senſe of our Conſtituents Rights, and agree to the extraordinary Mode propoſed by your Honour; for nothing elſe is to be taxed but the "located and appropriated Lands." After mentioning theſe Facts, how weak and abſurd appears your Aſſertion, That we "choſe rather "to deprive our Conſtituents of the Benefit that would ariſe from an equal Taxation of "theſe Eſtates," than not ſubject it entirely "to our own Mercy in the Mode we pro-"poſed." What great Benefit could flow from ſo ſmall a Part of their Eſtates, when by much the greater Share was to be exempted? And in what Manner can it be ſaid, with Truth, we were determined "to ſubject them to our Mercy?" We had no Share by the Bill either in the Rating or Levying the Money.——That Matter was left to the Commiſſioners and Aſſeſſors, who were to be ſworn, or ſolemnly affirmed, to do equal Juſtice; nor could the Repreſentatives of the People interfere therein.

Your Honour's ſecond Objection to our Bill, "related to the Appointment of the Pro-"vincial Commiſſioners from among Members of our own Houſe," accountable only to ourſelves.

ourselves. If this Practice be liable to so many glaring Exceptions, why did you not object to it in the late Supply Bill, passed in your other Government? Why did you consent that six Members out of their House, consisting of Eighteen only, should be Commissioners, and yet object to five being chosen out of the Members of our House, consisting of Six-and-thirty, joined with two of your own Council? Why does it require an "extraordinary Degree of Hardiness in us even to propose it," and not in that Assembly? Is it not as reasonable in the one Government as the other? Does the Soil, Climate, or Nature of the Country, make that Practice just and equitable there, which is not so here? Why did you not object to this Practice in the former Law for granting Money to the Crown? But this strange Conduct in your Honour we leave to be accounted for, whenever you shall think yourself capable of reconciling the most evident Contradictions. 1758. May 3.

With the same Degree of Reason and Justice, you next assert, "that we seem determined to see the Province brought to the utmost Destruction, rather than that the "Fingering of the Public Money should not be in a few leading Men of our House." This, it is true, "is a hard Charge," as you say: But we have been of late so used to receive high Accusations from our Governors, which, upon a little Examination, have proved groundless, that, with the sensible Part of Mankind, they are looked upon as Things of little Meaning. As to the "leading Men of our House," we know of none such, here every Man is left to the free Exercise of his Reason and Judgment. We are not confined to the Instructions or Directions of any Man, or Set of Men; and we sincerely wish, for your own Sake, the Sake of the People we represent, and of his Majesty's Service, you were as independent of, and free from, the Leadings and Directions of a few ruling Men of your Council, and Proprietary Instructions, as we are from any undue Influence whatever.—By the Bill the Commissioners are not to finger one Farthing of the Public Money, and their Power only extends to draw Orders on the Trustees for the Purposes mentioned therein, with your Approbation, and the Money is to be paid by the Trustees to the Persons in whose Favour they are drawn. The great Relish for Fingering the Public Money, we apprehend, is rather to be found with the Governor, and we should be glad his Connections were such with the People that we could safely confide in him. But when he looks on himself only as "a Passenger," and regards not whether the Barque, entrusted to his Care, shall sink or swim, provided he can by any Means reach the Shore, it is our indispensable Duty to take every Measure in our Power, to preserve that Oeconomy and public Justice in the Laying out and Appropriating the People's Money, for which this Government hath ever been so very remarkable.

As to the Commissioners, we shall only say, that they have ever been reputed Men of Integrity, and are well acquainted with our Public Affairs, from long Experience. They have satisfied us of their Innocence with respect to the Charges you have made against them in the most loose, general and unjust Manner. And we think ourselves obliged to return them our Thanks, for the great Pains they have taken, the Time they have spent, and for their prudent Conduct in the faithful Discharge of the Duties enjoined them by the late Act for granting *One Hundred Thousand Pounds* to the King's Use. Being convinced of this, we are not surprised to find your Honour's Indignation and Resentment so remarkably exerted against that Part of our Bill, nominating the same Gentlemen Commissioners, where the Fingering the Money is no more in your Power than in theirs; this we suspect will ever be the Case, till a Set of Men can be found agreeable to your Honour's Mind, who may be less exact and careful of, and more profuse with, the Public Interest. The Commissioners, in the early Part of our Session, laid their Accounts before us, which have been for some Time in the Hands of a Committee, and will be settled as soon as possible. What therefore your Honour means by "obliging them to exhibit their Accounts when required," we cannot understand, any more than we can your Design, or Merit, in declaring, "with a solemn Protestation to all the World," that the Passing our Bill was "contrary to your Conscience," and that, "in Violation of Truth, your were obliged to say, that the former *Hundred Thou-* "*sand Pounds* was expended with your Consent." Did you ever attempt to make out this Assertion? Did you ever point out the Sum that was not expended with your Consent? Does your Honour think every Declaration of yours is to pass with us for solemn and incontrovertible Truths, sufficient to condemn and destroy the Reputation of Men, of whose Integrity and Fidelity to the Public we have had manifest Proofs? We are sorry for the Governor, and amazed at this Part of his Message, and could wish sincerely, for his own Sake, that he had reconsidered the Bill, without that Bitterness and Passion, which appear too much to have blinded his Judgment in these solemn Assertions, which can do him no Credit, with respect either to his moral, religious or political Reputation.

Thus having answered all the material Parts of your unkind Message, filled with the grossest Invectives and Misrepresentations, we must assure you, that we are desirous to submit our Merit to the Test of our Actions. Every Thing has been done for the Good

1758. *May* 3. of our Conſtituents, and his Majeſty's Service, that your Honour would permit us to do; and many Things further, equally neceſſary, which your Honour has obſtructed, we would have done. It woulb be happy for *Pennſylvania*, could you, with equal Safety, appeal for a Juſtification of your Conduct, to the ſame Teſt. Have you not ſupported a Man in his Acts of Extortion, Oppreſſion and Tyranny, over the poor Inhabitants of *Cheſter* County, againſt the ſolemn Examinations and Remonſtrance of the Repreſentatives of the People? Are not the Widow and Fatherleſs groaning under his arbitrary Meaſures, and yet remain without Hopes of Relief? Have you not continually uſurped an arbitrary Power of amending our Money Bills, and thereby repeatedly violated one of the moſt eſſential Rights of the People? Have you not rejected a reaſonable Bill for furniſhing the Crown with Two Thouſand Seven Hundred Men, for the Recovery of the Proprietaries Fortunes from the Poſſeſſion of the Enemy, becauſe their Eſtates were to bear a reaſonable Proportion? Have you not retarded and obſtructed the granting Supplies to the Crown, by tenaciouſly adhering to your Inſtructions? Have you not had under your Command Fourteen Hundred Men, and yet permitted the moſt trifling Parties of *Indians* to depopulate a great Part of the Province, captivate and murder the Inhabitants, while our Troops have been inactive in our Forts? Have not Orders for making Incurſions into the Enemy's Country, though expreſsly directed by the Law, been entirely neglected? Has a ſingle Party been ſent out on this Account, or one of the Enemy been killed or taken Priſoner ſince your Adminiſtration, though our Frontiers have been almoſt continually bleeding by their mercileſs Hands? Have not the People, through this unhappy Neglect, been ſurpriſed and murdered in their Beds, who otherwiſe might have had timely Notice of their Approach, and defended themſelves? In ſhort, what Protection or Defence has this unhappy Colony received from the large Sums of Money it has generouſly granted? Theſe are the unhappy Marks of your Honour's Regard for his Majeſty's Service, which the good People of this Province have fatally felt, at a Time when their Repreſentatives have been exerting the Power and Strength of the Province almoſt beyond what it could bear, to relieve them from the Butchery and Ravages of the moſt barbarous Enemy, whoſe Blow has fallen the heavier on us through the Frauds and Injuſtice they declare they have received from the Proprietaries, and their Agents, with regard to their Lands.

Signed by Order of the Houſe,

May 3, 1758. THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Wayne* and Mr. *Plumſted* wait on the Governor with the foregoing Meſſage, and acquaint him, that the Houſe, having gone through the Buſineſs that was before them, incline to adjourn to *Monday* the Fourth of *September* next.

The Committee appointed to prepare and bring in an Anſwer to the Governor's long Meſſage of the Twenty-fourth of *January*, conceiving their Sentiments thereon would more properly come under the Form of a Report to the Houſe, than a Meſſage to his Honour, deſired Leave to bring them in accordingly, which being agreed to, the ſame were preſented at the Table, read, and follow in theſe Words, *viz.*

Report of the Committee on the Governor's Meſſage

IN Obedience to the Order of the Houſe, we have conſidered the Governor's Meſſage of the Twenty-fourth of *January* laſt, and as he has poſitively declared, that he will neither remove *William Moore* from his public Offices, or receive the Impeachment and Charge of the Repreſentatives of the People againſt him, we apprehend reaſoning with his Honour, under theſe Circumſtances, can anſwer no good Purpoſe, but would rather tend to impede his Majeſty's Service, by creating further Debates between the two Branches of the Legiſlature; to avoid which Inconveniency, we beg Leave to throw our Remarks into the Form of a Report to the Houſe, rather than that of a Meſſage to the Governor.

We cannot help remarking in general, that this Meſſage contains a Series of the moſt groſs Miſrepreſentations of the Conduct of this Houſe, the moſt extraordinary Perverſions of the Meaning and Words of their Meſſage of the Seventeenth of *January*, and a Charge againſt them, as groundleſs as it was unjuſt. He is pleaſed to aſſert, that the Houſe have ſo far deviated from the Rules of good Manners, as to "charge him with "a direct Falſhood," and that "they claim a Right of vilifying and abuſing their Go- "vernors as one among the many boaſted Powers and Privileges they have lately diſco- "vered." This Kind of Warmth in his Honour's Meſſage, and *Marks of his Eſteem* for the good People of the Province, the Houſe have been accuſtomed to, but ever paſſed them over unnoticed, as they were always averſe to any Diſputes but what a Regard for the Rights of the People neceſſarily engaged them in; —— the Governor, however, having thought proper to repeat theſe Charges, your Committee think it abſolutely neceſſary to ſhew them in their true and natural Light.

It appears by the Governor's Meſſage of the Ninth of *January*, that "he was deter- "mined on a full and cloſe Enquiry into the Charges againſt *William Moore*, to make a

"public

" public Example of him, and to that End he had appointed the ſame Day for hearing " all the Proofs in the Caſe, after due Notice given to the Parties, and their Witneſſes, " and accordingly attended with his Council in the Council Chamber." This Declaration rationally induced the Houſe to think that he intended to erect a new Court of Judicature, for the Trial of the Offences charged againſt *William Moore*, in which the Governor and Council were to ſit both as Judges and Jurymen; Judges of the Law, and Tryers of the Facts, without being veſted with a legal Power of compelling the Attendance of the Parties or Witneſſes to adminiſter an Oath, or of forcing them to anſwer, when attending, or without the leaſt Spark of judicial Authority whatſoever, neceſſary to a juſt and legal Enquiry: That by this new Method of Enquiry, he did deſign to ſuperſede and lay aſide the candid and ſolemn Examination of the Aſſembly, whoſe Right to enquire into the oppreſſive Conduct of that Gentleman, or any other, in their public Station, cannot be diſputed; though it is well known, that the Governor had delegated all his judicial Authority to the Judges of the ſeveral Courts of Juſtice, and therefore could not legally exerciſe any, and that his Council have not the leaſt Pretence to it. That by the great Charter of *Engliſh* Liberties, no Man ſhall be put to anſwer, but by the Laws of the Land, or due Proceſs of Law: And that no Power in the Conſtitution, ſave the whole Legiſlative, can legally erect a new Court of Juſtice. It was alſo as evident, that as the Governor's intended Mode of Procedure was perfectly lawleſs, and unſupported by any known Example or Precedent in our Mother Country, ſo it muſt be uncircumſcribed in its Authority, and tranſcendent in its Powers; and as it has no Law or Rule to fix its Boundaries, or to limit its Extenſion, but the Diſcretion of his Honour and Council, and that Diſcretion might extend it over the Lives and Properties of the Subject, the dangerous Tendency, and miſchievous Conſequences of this Mode of proceeding, could not fail of alarming any Set of Men, to whom the Safety of a free People was entruſted, eſpecially when it was calculated to deſtroy one of their fundamental Rights, the Power of redreſſing Grievances: And therefore, with that Decency and Spirit that became a free People, this Houſe proteſted againſt it, and endeavoured to convince the Governor by fair Arguments, that it was lawleſs in itſelf, anti-conſtitutional, and of the moſt dangerous Tendency to the Liberties and Properties, if not Lives, of the Subject. To which the Governor was pleaſed only to reply, that "a conſider- " able Part of our Meſſage was taken up with trite Queſtions and Reaſonings," without attempting to confute one of them, and then *cry out*, that we had " in this charged " him with a direct Falſhood." If in this he was charged with a direct Falſhood, it was not by us, but by his own Expreſſions, from whence our Arguments were fairly and honeſtly deduced. 1758. May 3.

It certainly is as unbecoming, as it is uncommon, for a Perſon to be guilty of an Offence, and ſoon after venture, without any Foundation, to charge another with the ſame; and yet this will appear to be the Governor's Caſe, to every Perſon who peruſes his Meſſage of the Twenty-ninth of *September* laſt, wherein he declares, without the leaſt Proof, " our Aſſertions to be falſe:" This is Language which does not become one Gentleman to another, much leſs one Branch of the Legiſlature to the other. Decency is certainly due to the Governor of the Province. We have reviewed the Meſſages of the Houſe, and cannot find any Thing that has the leaſt Tendency to " vilify and abuſe " our Governors," unleſs the melancholy Period is arrived, when *ſpeaking Truths*, and *ſupporting the Rights of a free People, may be deemed ſo*. Decency is likewiſe due to the Aſſembly, as Repreſentatives of the People, and however the Governor may have deviated from it, in his Intercourſe with them, and endeavoured to provoke them to follow the Example, the Houſe have carefully avoided it, and proceeded in their Diſputes with that Reſpect which is due to his Station; but, at the ſame Time, with that Spirit and Reſolution, which became the Delegates of a free People, when every Thing they held dear and valuable is attacked and invaded.

We are ſorry, that neither the Want of Law, Precedent in our Mother Country, or the direct Prohibition of *Magna Charta*, have ſo much Influence with the Governor, as the Practice of preceding Governors. We apprehend, a Practice not ſupported by, but contrary to, Law, ought to be aboliſhed, not purſued. We alſo know it to have been the Practice of preceding, as well as of the preſent Governor, to turn Juſtices out of Commiſſion without ſuch Enquiry, and either without any Reaſon at all, or upon private Repreſentations. The Inſtances are ſo recent, we need not particularize them. We are therefore at a Loſs to know why the ſame Juſtice is not due to other Magiſtrates, as is to *William Moore*. Why one ſhall be removed without a Hearing, or Enquiry, and another ſhall be ſupported againſt the ſolemn Examinations of the Aſſembly? Why the Governor will turn Officers out on private Complaints, and not upon the Addreſs of the Repreſentatives of the People? But further, to ſhew the Danger of this Attempt in the Governor, your Committee beg Leave to make Uſe of his Honour's own Arguments againſt him, nearly in his own Words.

The Power neceſſary to any Court of Judicature " can only be granted by an Act of " Parliament,

1758. May 3. " Parliament, and when granted," is indiviſible in its Nature; " it cannot be par-" celled out into Parts;" and, " if it could," we can hardly think it conſiſtent with the Rights of the People, that a Governor, who is obliged to purſue the Advice of a Proprietary Council, and arbitrary Inſtructions, " ſhould be the Diſpenſer of it. If a " Governor once perſuades himſelf that it is neceſſary, for the Safety and Peace of the " Province, that he ſhould exerciſe the Power of a Court of Judicature," without the leaſt Tittle of Authority, " in one Caſe, he may in another: And if we ſhould conſent " to his exerciſing one Degree of that Power, he may think himſelf entitled to claim " and exerciſe the Whole; and by this Means bring all Cauſes, both civil and criminal, " before him in the laſt Inſtance, as is the Caſe in the Houſe of Lords, which is the " higheſt Court of Judicature in the Kingdom. Power once" uſurped, " is hardly " ever to be regained, and ſhould" this Houſe " depart ſo far from their Duty as" to permit a Governor to aſſume, without Law, the extraordinary Power he is ſo fond of, without proteſting againſt it, " or could" they " think any Governor, or ſingle Man" ought to be permitted by an Aſſembly of this Province " to enjoy all" the Powers of a Judge, the Grand and Petty Jury, we and our " Poſterity would certainly have Reaſon " long to repent it. Will it not appear very extraordinary in the Eyes of all Men, " that" the Governor, who has appeared ſo averſe to aſſuming an Authority which he thinks not expreſsly granted, and has refuſed the Power of giving Judgment on the Impeachment of, and Trial by, the Aſſembly, or to remove *William Moore* from his Office, upon their Remonſtrance, after they had, in the moſt ſolemn Manner, enquired into his public Conduct, and found it extremely diſtreſſing and oppreſſive to the Subject, ſhould be ſo earneſt and deſirous of uſurping a Power, which with the ſame Degree of Law he " may extend over the Lives, Liberties and Fortunes of our Conſtituents, with-" out the Aid of Juries, or the common Proceedings of Juſtice? Such a Power may be " ſafely entruſted" with a Governor, aided by ſo numerous a Body as the Repreſentatives of the People, " whoſe independent Stations ſet them far above Corruption or " Party Views; but in the Hands of a ſingle Man, it might prove of ruinous and dread-" ful Conſequences."

Your Committee having thus vindicated the Houſe from the Imputation of treating the Governor ill in our late Meſſage, and ſhewn the dangerous Tendency of inſtituting a new Court of Judicature, unſupported by Law, with Deſign to defeat an inherent Power in the Aſſembly of impeaching Criminals, and redreſſing Aggrievances, we ſhall carefully conſider that Part of his Honour's Meſſage, in which he has endeavoured to ſhew the bad Conſequences that might attend the Power of impeaching and trying Offenders before him.

The Power of impeaching Criminals, and redreſſing Grievances, the Governor agrees, is granted by the Proprietary Charter to the Repreſentatives of the People. By the Royal Grant, the whole Powers of Legiſlation, and of raiſing Money, are expreſsly given to the Proprietary, or his Deputies, with the Advice and Aſſent of the Delegates of the Freemen of the Province. The Mode of exerciſing that Power has ever been, as near as might be, in a Parliamentary Way, though our Circumſtances are very different from a *Britiſh* Parliament, and the Method is not expreſsly pointed out. The Governors of this Province have ever aſſumed all the Legiſlative Authority of the Houſe of Lords, with every Incident thereto, though no more expreſsly granted to them, than the Power of judging on the Impeachments of the Aſſembly. The Impeaching and Trying of Criminals, and judging thereon, your Committee apprehend, is a concurrent Power in the Houſe of Lords and Commons, and cannot be exerciſed by one of them without the other. This Power, we conceive, is a neceſſary Incident to the Legiſlative Authority, and cannot be ſeparated from it. It is veſted in different Perſons, and diſtinct from that by which the King and Lords aſſume the Cognizance of all the Tranſactions of inferior Courts, correct and redreſs their Errors. The Power of impeaching and judging thereon is incident to the Legiſlative Authority; the Power of correcting the Errors of inferior Courts, veſted in the King and Lords, we apprehend, is independent of it, therefore the Commons have it not, and other Courts of Juſtice exerciſe it without any Legiſlative Capacity. The requeſting the Governor to aſſume a concurrent Juriſdiction with the Aſſembly, incident to their Legiſlative Capacity, and implicitly granted him by the Royal Charter, cannot, with the leaſt Appearance of Reaſon, be conſtrued to inveſt him with other Powers diſtinct therefrom, and neither expreſsly or implicitly granted, nor incident to his Legiſlative Authority, as is the Caſe of this remedial Power of the King and Lords. So that the Governor might and ought to perſuade himſelf, that it is neceſſary for the Peace and Safety of the Province, that he ſhould exerciſe the Power of the Houſe of Lords, in ſome Caſes, *to wit*, in Matters of Legiſlation, and judging on Impeachments, which is an Incident thereto, and implicitly granted; but nothing could juſtify him in aſſuming other diſtinct Powers of the Houſe of Lords, which are not incident thereto, and neither expreſſed or implied in the Royal Grant.

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The Governor is pleased to say, "our Method of Reasoning is dark and mysterious, a "middle State in Legislature, consisting of two Estates only, is to him incomprehensible." The House have endeavoured to convey their Ideas with Perspicuity, and we apprehend, in this Case, a little Good-nature and Attention, could the Governor spare them, would readily have unfolded the Mystery. In one Part of the Message it is said, "the Governor "may be deemed to supply a middle State;" in another, quoted by the Governor, "That "he may be deemed to supply the Place of the House of Lords, in an inferior Degree." Had the Governor given proper Attention to the Words, it was no *difficult* Task to understand them. —'Tis easy to conceive that two Persons may be invested with the Powers of a third, or that one of two States may supply the Place of a third. But what gives us most Astonishment is, that the Governor, in order to find Reasons to support his Assertions, should descend so far as to affirm, that "we agree with him that the House of "Lords hath the sole inherent Powers of trying Impeachments." Upon this Position the Governor is pleased to build all the "dreadful and ruinous Consequences" that would attend his accepting the Assembly's Offer; and in Pursuance thereof he declares, that the House were "desirous of investing him with a Power over the Lives, Liberties and For- "tunes of our Constituents, without the Aid of Juries, or the common Proceedings of "Justice." This Assertion of the Governor's, your Committee beg Leave to say, is without the least Foundation, and they cannot conceive in what Part of the Message the Governor could find it.

The House were not so ignorant of the Powers of Parliament, as to advance so great an Absurdity. But if the Governor claims it as one of the Privileges in Controversy, to make his Opponents speak what he pleases, be it ever so absurd or distant from their Thoughts, or the Meaning of their Expressions, he may first lay down such Principles as will best suit his Purpose, take them for granted, and make them speak the greatest Inconsistencies in Nature. "The House of Lords, as we find, have a Power of judging "or determining upon the Complaints of the Commons, but do not assume to them- "selves Trial at common Law; neither do the Lords at the Trial of a common Im- "peachment by the Commons, *decedere de Jure suo*, for the Commons are then instead "of a Jury, and the Parties Answer, and the Examination of Witnesses are to be in their "Presence, or they to have Copies thereof, and the *Judgment* is not to be given by the "Lords, but upon their *Demand*, which is instead of a *Verdict*, so the Lords do only "*judge*, not *try*, the Delinquent." In the Case of *Simon de Brereford*, the Lords "dis- "claimed that they had such a Power of *trying* others than their *Peers*, and confess it "was contrary to the *Laws of the Land*." For when the Commons impeach a Delinquent, they are *Patria sua*. If this was not so, the Lords might try a *common Person* in direct Breach of that fundamental Maxim in the Constitution, that every Man shall be tried by his *Peers* or *Equals*. Hence the Power the House offered the Governor, being no more than the Power of the House of Lords, in the Case of an Impeachment of a *common Person*; it was not the Powers of *Trial*, or of a *Jury*, but simply that of giving *Judgment* upon the *Demand* of the Assembly, they being satisfied of the Guilt of the Person charged; such a Power as three Justices of every Quarter Sessions, and two Judges of the Court of Oyer and Terminer, constantly exercise. The Trial was to be by Thirty-six Men, the *Peers* and *Equals* of the Delinquent, returned not by a *Sheriff*, but by the *general Voice and Approbation of the Freemen of the Province*, without whose *Demand* no Judgment can be given, or Punishment inflicted. Thus the "dreadful and "ruinous Consequences," painted in the Governor's Imagination, and which he would have persuaded the World the House were introducing in the Constitution, are vanished, and more Security appears in this Mode of Trial, than any other known in the Government.

But the Governor is pleased to say, "we are desirous to destroy at once the great Bul- "wark of *English* Liberty, and throw an Odium upon Trials by Juries, and the Judge- "ment of our Peers." Could the Governor be serious in this Charge, or expect that the meanest Capacity cannot see the Force of the Arguments in Support of it? The House endeavoured to shew that Trials by and upon the Impeachment of the Assembly were attended with as much, if not more, Security to the Rights of the People, than the Trials by a Jury; the one being by Thirty-six Men, returned by the Freemen of the Province, from all Parts of it, who cannot be presumed to be dishonest, or prejudiced against any particular Person, nor partial or corrupt; and the other returned by a *single* Person, who may be with more Ease corrupted than a "*public Body:*" To explain this Truth, which the Governor seems so unwilling to understand, A Sheriff is but a *single Person*, the Representatives of the People in this Province are in Number *Thirty-six*.—A *single Person* is more easily corrupted than *Thirty-six*; for if it requires an *Hundred Pounds* to corrupt *one* Man, it will require *Thirty-six Hundred* to corrupt *Thirty-six*. Corrupt the Sheriff, and the Jury is packed of Course: "But to say that an Assembly will be partial, or unjust, or "corrupt, or do any Thing out of Malice, is to raise a Scandal upon the whole People, "whose Representatives they are." *Lex. Parl.* 62. 63.

The Governor is pleased to ask, "What Man would not rather trust his Cause to his

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" Friends and Neighbours, choſen and ſworn for that particular Purpoſe, than to any " ſtanding Body whatſoever ?" Your Committee apprehend it would not have been imprudent in the Governor to have conſidered that this Mode of Reaſoning militates more againſt the Honour and Juſtice of a *Britiſh* Houſe of Commons, than againſt an Aſſembly, annually choſen. The Houſe of Commons is a "ſtanding Body," and have often aſſumed the ſame Power the Houſe contend for; and yet, till now, we never have heard of any Perſon who has ventured ſo far to reflect on the Honour and Juſtice of that reſpectable Body, as to inſinuate that there is greater Security in a Trial by a *Jury of Twelve* Men, than by that *auguſt and honourable Houſe*.

The Governor further adds, that "a Governor muſt be made a very inſignificant Per- " ſon indeed, if he was obliged to yield implicit Obedience to the Addreſs of an Aſſembly." Your Committee are of Opinion with the Governor, that he is not to be obliged by an Aſſembly to do any Thing contrary to his "Reaſon and Judgment:" We wiſh he was as free and independent of arbitrary Proprietary Inſtructions and Council, as he is of the Repreſentatives of the People; we ſhould then have ſome Ground to believe that he would exerciſe his own *Judgment* and *Reaſon*, and more would be done for the Country and his Majeſty's Intereſt, than ever will be under his preſent Situation. But the Governor ſhould remember, that there is little Difference with reſpect to his "Significancy" in the Government, whether he is obliged to obey an Addreſs of an Aſſembly, or the Inſtructions of the Proprietaries, and the Advice of their Council. In either Caſe he is equally "inſignificant." The Crown has repeatedly, upon the Addreſs of the Commons, removed the greateſt Men in the Nation from Public Offices, and ſometimes where it was on *Rumour* only; and your Committee have Reaſon to believe, that our moſt gracious Sovereign, when the Houſe ſhall addreſs him, and lay the Affidavits taken in this Caſe before him, he will not think it beneath his "Significancy," and Importance in the Nation, to liſten to, and redreſs, the Complaints of his oppreſſed Subjects in the moſt diſtant Parts of his Dominions; his Ear, we doubt not, will be open to the Cries of the Widow and Fatherleſs, as well as to the Addreſs of the Repreſentatives of his free Subjects in this Colony.

The Governor is pleaſed to aſſert, "he never has invaded the Conſtitution:" We are charitably induced to hope he thinks ſo; but if he does, it muſt ariſe from a very great Defect in the Knowledge of our Conſtitution. Inconteſtable Facts are againſt the Governor;—Facts, for the Truth whereof we appeal to his own Confeſſion and Meſſages. He has declared, "that the whole Powers of Legiſlation are in the Governor and Aſ- " ſembly, and that it conſiſts of two Branches only." If this be the Caſe, as it truly is, by the expreſs Words of the Royal Grant, in Virtue of what Right or Authority do our Proprietaries, Strangers to our Situation and Circumſtances, from Time to Time give unreaſonable and arbitrary Inſtructions, reſpecting Matters of Legiſlation.——Inſtructions that impede his Majeſty's Service, prevent the Defence of his Colony, and in their Conſequences, if not withdrawn or ſuperſeded, muſt inevitably deſtroy the Province.—— Why did the Governor accept of them or his Commiſſion under *ſuch Terms?* And why is he now, though he has from Experience found them to be very pernicious, reſolved to execute them? By Virtue of what Right does the Governor undertake to nominate Commiſſioners in Bills, by which the Public Money is to be diſpoſed of, and invade one of the moſt eſſential Rights of the Aſſembly, the amending their Supply Bills? If theſe are not *Invaſions* of the Conſtitution, we have no Conſtitution at all. Your Committee agree with the Governor, that "Public Danger ſurrounds us on all Sides," and that we have very "vigilant Enemies, both foreign and domeſtic, who indeed threaten us with Op- " preſſion and Slavery." Of the two our domeſtic Enemies are moſt to be dreaded, who are in the Bowels of our Country, and ſo far join with our foreign Enemies, as to embrace the *ſame Opportunity*, while they are diſtreſſing us Abroad, to execute their arbitrary Schemes at Home. Slavery is of the ſame Nature, let it come from what Quarter it may; and your Committee have little Reaſon to hope that either ſalutary Laws will be paſſed, the Country defended, or his Majeſty's Intereſt promoted, while the Governor is tied down to the Advice of a *Proprietary Council*, and bound to obey the moſt *arbitrary Inſtructions*, which, if long continued, muſt ſacrifice one of his Majeſty's Colonies to the ambitious Views of private Men."

Adjournment

Then the Houſe adjourned to Four o'Clock, *P. M.*

Poſt Meridiem

The Members appointed to wait on the Governor with the Meſſage of the Houſe, reported, they had delivered the ſame according to Order; and acquainted his Honour the Houſe inclined to adjourn to *Monday*, the Fourth of *September* next; to which he was pleaſed to ſay, it was very well.

The Governor, by Mr. Secretary, ſent down a Meſſage to the Houſe, with ſome Papers referred to therein, and the ſaid Meſſage being read, follows in theſe Words, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

' I LAY before you a Letter I have juſt now received from General *Forbes*, on which ' I deſire to know your Reſolutions before you riſe, that I may be enabled to give him ' a proper Anſwer.

Teedyuſcung

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‘ *Teedyuſcung* has renewed his Requeſt to have the Houſes finiſhed at *Wyoming*, for which this Government ſtands engaged. I propoſe ſending the ſame Gentlemen that were appointed laſt Year, and ſhall recommend it to the Commiſſioners to defray the Expences that will attend the Execution of this Commiſſion.

May 3, 1758. *WILLIAM DENNY*.”

The General’s Letter, ſent down with the Governor’s Meſſage, was read, and is as follows, *viz.*

SIR,

General *Forbes’s* Letter to the Governor.

FINDING that the Storeſhip with the Tents, Arms, &c. has not arrived from *England* with the Tranſports, I applied to General *Abercrombie*, to know how I was to proceed, with regard to Camp Neceſſaries, and his Anſwer is:

“ With regard to Camp Neceſſaries for the Provincials, they muſt be furniſhed by the “ different Provinces; thoſe to the Northward have agreed to it, and their Troops are “ to come provided with them at their Expence.” I muſt therefore beg to know the Reſolution of the Province upon this Subject directly.

Upon your Application, I promiſed to ſend an Hundred of the *Royal Americans* up towards *Reading*; but as theſe Companies are very ſickly, coming from *Carolina*, and very much want ſome Days of Reſt and Refreſhment, I muſt therefore beg you will excuſe me from my Promiſe, and in their room you may ſend ſome of the new raiſed Provincials, which will anſwer every Purpoſe fully as well.

I ſhould be glad to know your Opinion of the Party of *Cherokees* at *Carliſle*, whether they ſhould be allowed to proceed, or turned another Way. I ſhould likewiſe want very much to know how far the Province thinks themſelves obliged to take Care of thoſe *Indians*, by Preſents, Cloathing, &c.

I beg, Sir, that the Orders about the Light Horſe may be given as ſoon as poſſible: And that you will likewiſe be ſo good as to order the Horſes to be placed, for the Conveying Intelligence through your Counties, according to the Plan given to you by the Quarter-maſter General.

I really think *Teedyuſcung’s* Demands ought to be agreed with, as he has the public Faith for the making ſuch a Settlement, although I would parry off all Convoy of Troops, as Ax-men and Carpenters will anſwer all his Purpoſes, and I think that he and his Tribes ought to be our Guards for thoſe Back Settlements this Summer, as we ſhall want all the Troops ſomewhere elſe. I am, Sir, with great Regard,

Your moſt obedient and moſt humble Servant,

Philadelphia, *May* 3, 1758. JOHN FORBES.”

With the above Letter from the General, Mr. Secretary laid before the Houſe one from Capt. *William Thompſon*, dated at *York-Town*, the Twenty-ſixth of *April*, to Colonel *Armſtrong*, acquainting him, that the *Cherokees* and *Catawbas*, who left Fort *Loudoun*, to go to War, marched in Company till they croſſed *Juniata*, at which Place ſome Miſunderſtanding ariſing among them, occaſioned the four *Catawbas* to return to the Fort, but the *Cherokees* proceeded towards Fort *Duqueſne*, by the *Franks-Town* Road: That they propoſed being out twelve or fourteen Days, and ſaid, if their Brethren of *Pennſylvania* had any Inclination to hold a Treaty with them, they were ſure a Preſent would be ſent them by the Time they returned: That he (Captain *Thompſon*) intending to ſet off for Fort *Loudoun* the next Day, and not having received any Orders reſpecting the ſaid *Indians*, would be glad to know, as ſoon as poſſible, what his Honour the Governor, and the Aſſembly, intended to do with them.

The Houſe taking into Conſideration the Governor’s Meſſage, General *Forbes’s* Letter, and the Intelligence from Captain *Thompſon*; after ſome Time ſpent therein,

Ordered, That Mr. *Hughes*, Mr. *Galloway*, Mr. *Maſters* and Mr. *Yorke* be a Committee to prepare and bring in an Anſwer thereto.

The Committee appointed to prepare an Anſwer to the Governor’s Meſſage, &c. reported the ſame to the Houſe, which being read, and, after ſome Alterations, agreed to, was ſigned by Mr. Speaker, and follows in theſe Words, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

WE much approve of your Deſign in ſending the ſame Gentlemen that were appointed laſt Year to finiſh the Houſes begun at *Wyoming*, at *Teedyuſcung’s* Requeſt, and as the more expeditiouſly this Meaſure is executed, the ſooner we ſhall have an *Indian* Barrier in that Quarter; we hope no Time will be loſt in diſpatching them.

With reſpect to the General’s Demand of Tents, Arms, Camp Neceſſaries, &c. for the Provincials, we beg Leave to obſerve, that by his Majeſty’s Royal Inſtructions, by his Secretary of State, the Whole that the King expected or required from us, was the Levying,

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As we underſtand the *Cherokees* are invited by the Crown to aſſiſt in the general Defence of the Colonies, which receive an equal Benefit from their Services, we are of Opinion they ſhould either be maintained, cloathed, *&c.* by the Crown, or at the general Expence of the Colonies, and not by this Province only; which muſt appear the more reaſonable to your Honour, as you know this Government has very lately expended large Sums of Money in *Indian* Affairs, from which the other Provinces have received equal Advantages, though they have not contributed any thing towards the Expence therof.

May 3, 1758. *Signed, by Order of the Houſe,*

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor with the foregoing Meſſage, and deliver the ſame.

The Houſe then taking into Conſideration the Part of the Governor's Meſſage of the Twenty-ninth *ultimo*, relating to the Appointment of a Barrack-Maſter, together with the Provincial Treaſurer's Remonſtrance, reſpecting the Nomination of a Collector of Exciſe for the County of *Cumberland*,

Reſolved, That *Joſeph Fox*, Eſq; be, and he is hereby appointed to the Office of Barrack-Maſter, with full Powers to do and perform every Matter and Thing which may be requiſite to the comfortable Accommodation of his Majeſty's Troops within the Barracks lately erected in this City.

Reſolved, That *Benjamin Chambers* be, and he is hereby appointed Collector of Exciſe for the County of *Cumberland*, in the Place of *Nathaniel Wilſon*, who hath reſigned the ſaid Office.

Adjournment. Then the Houſe adjourned to *Monday*, the Fourth Day of *September* next.

September 4. MR. Speaker, and ſeveral of the Members, met, purſuant to their Adjournment; but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

Poſt Meridiem Adjournment

September 5. Mr. Speaker, with a Quorum of the Members, met, purſuant to Adjournment.

Ordered, That Mr. *Roberdeau* and Mr. *Grubb* wait on the Governor, and acquaint him, that as there is but a bare Houſe collected, and the ſeveral Committees are not yet ready to lay the public Accounts before them, they incline to adjourn till *Monday* next, unleſs the Governor has any Buſineſs of Importance to communicate to them, which requires their immediate Attention.

Ordered, That Mr. *Hughes*, Mr. *Maſters*, Mr. *Baynton*, Mr. *Gibbons* and Mr. *Yorke* be a Committee to ſettle the Account of Incidental Charges.

The Members appointed to wait on the Governor with the Meſſage of the Houſe, reported, they had delivered the ſame according to Order; and that in Conſequence thereof, his Honour had given Directions to Mr. Secretary to lay before the Houſe a Letter juſt received by the Governor from Admiral *Boſcawen*.

Mr. Secretary brought down to the Houſe the ſaid Letter from the Admiral, with a verbal Meſſage from the Governor to them, recommending that they would comply with the Requeſt therein contained, which Letter was read, and follows in theſe Words, *viz.*

SIR, *Namure, Louiſbourg Harbour, Auguſt* 5, 1758.

Admiral *Boſcawen's* Letter to the Governor. AS the great Trade of the Colony of *Pennſylvania* is a Nurſery for many able and good Seamen, and as Trade depends much on deſtroying the Enemy's Privateers, I hope for your Aſſiſtance for ſome Recruits towards manning the Fleet under my Command, and if you would ſend me Three Hundred, I ſhould thereby be enabled to ſend to *Philadelphia* the *Echo*, of Thirty-two Guns, taken here, and will appoint her to that Station directly, as ſoon as you will furniſh Men for that Service. I ſend the *Port-Mahon*, under the Command of Captain *Wallis*, who is a very diſcreet Officer, with this; he has my Orders to receive any Men you may raiſe for his Majeſty's Service. I am told the Merchants, Planters, and Gentlemen of the Aſſembly, will be ready to give their Aſſiſtance on this Occaſion. I am,

SIR, *Your moſt obedient humble Servant,*

ED. BOSCAWEN."

To his Excellency WILLIAM DENNY, *Eſq;*

A Petition from *Joſeph Thomas*, Miller, was preſented to the Houſe and read, praying to be appointed the Officer for inſpecting and branding Flour exported from this Province.

Ordered to lie on the Table.

The

1758. *September* 5.

The House taking into Consideration the Request of Admiral *Boscawen* to the Governor, and having spent some Time therein, the following verbal Message was agreed to, and sent up to the Governor, *viz.*

" Upon considering the Admiral's Letter, laid before us by your Secretary, we apprehend it is not expected that the Recruits therein mentioned should be at the Charge of this Government; besides, we have already granted such large Aids to the Crown, at the particular Requisition of the Secretary of State, and at a great Expence to the Province fitted out a Ship of War, now on a Cruize, for the Protection of Trade, that it is not, under our present Circumstances, in our Power to comply therewith, the public Funds being nearly expended, and many of the Troops, in the Service of the Crown, yet unpaid. The Application, we apprehend, is to your Honour, for your Assistance (as the executive Part of Government) to the Gentlemen commissioned by the Admiral for that Purpose."

Adjournment *September* 11. *Post Meridiem*

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

The House met, pursuant to their Adjournment.

A Petition from *Stephen Shewell* was presented to the House and read, praying to be appointed the Officer for inspecting and branding Flour exported from this Province.

Ordered to lie on the Table.

Adjournment *September* 12.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Provincial Commissioners laid before the House a Letter from the Governor of this Day, relating to the Expences of the ensuing *Indian* Treaty, which was read, and ordered to lie on the Table.

An Account from Major *Burd* was laid before the House for several Sums of Money advanced by him to certain *Indians*, in Behalf of the Province.

The Governor, by Mr. Secretary, sent down to the House a written Message, with some Papers therein referred to, and the said Message being read, follows in these Words, *viz.*

GENTLEMEN,

A Message from the Governor to the Assembly.

'THE Honour and Interest of this Province are so deeply concerned in the late Request made by Admiral *Boscawen*, to furnish him with a Number of Seamen, that I cannot avoid recommending it strongly to you to re-consider the Matter. You will please to remember, that his Majesty, in a Letter from Mr. *Pitt*, his principal Secretary of State, bearing Date the Thirtieth Day of *December* last, laid before you in *March*, signified to me his Royal Pleasure that all legal Methods should be used to supply the Commander in Chief of his Ships in *North-America* with such a Number of Sailors, from this Province, as he should, at any Time, require for his Majesty's Service. When, therefore, I received the Admiral's Letter, generously offering that the *Echo*, a Ship of Thirty-two Guns, should, in Return for a Supply of the Seamen demanded, be immediately stationed here for the Protection of our Trade, I made no Doubt of your readily acceding to so advantageous a Proposal.

'You are pleased to say, that it is not in your Power to comply with this Requisition, because the Province hath been at a very great Expence in fitting out a Ship of War, now on a Cruize for the Protection of your Trade, and the public Funds are near exhausted.

'Gentlemen, when you consider that a Man of War, stationed on your Coast, will render, for the future, the Province Ship useless, that the great Sums necessarily expended in supporting her, will thereby be saved, and at the same Time your Trade will be more effectually secured, I am persuaded you will agree with me, that it is your Duty, as well as your real Interest, to fall on proper Means to furnish the Admiral with the Number of Seamen he demands, without Delay.

'New Funds will be wanting, to supply the Deficiency of those already raised; but it is certain that the Taxes hereafter to be imposed will be easier on the People, if, by the Measure proposed, the heavy Expences of supporting the Province Ship can be saved to them.

'I have the Pleasure to acquaint you, that, from the present Face of Things, *Indian* Affairs seem to have a very favourable Appearance. Since your Adjournment in *May* last, I have been particularly attentive to improve every Opportunity that has offered, to reclaim such of them as have joined our Enemies, and of conciliating the Affections of the *Indians* in general. Several Messages and Conferences have passed between us, in Consequence of which a general Meeting has been agreed upon, to be held at *Easton*; and I have lately received Intelligence that many are already arrived on our Frontiers, and great Numbers are assembling together, and may be daily expected there. At this Treaty the Governor of the *Jersey* has, by the particular Desire of the *Indians*, agreed to attend; and, in order to make an extensive as well as durable Peace with the *Indians* in general, I have invited the Governors of *New-York*, *Maryland* and *Virginia*, and Sir *William Johnson*, to favour me with their Presence and Assistance.

'A very considerable Expence must necessarily attend this important Transaction,

1758. *September* 12.

'which the Commiſſioners have agreed with me to defray out of the Sum laſt granted to his 'Majeſty by this Province. I hope every Hand and Heart will be united in endeavour-'ing to bring to a happy Iſſue this Treaty, ſo intereſting to his Majeſty's Service, and 'the Colonies in general.

September 12, 1758. *WILLIAM DENNY.*"

The Papers ſent down with and referred to in the foregoing Meſſage, were, Secretary *Pitt's* Letter, of the 30th of *December* laſt, and ſome Conferences held by the Governor with *Teedyuſcung*, and other *Indians*, during the Receſs of the Houſe.

Adjournment *Poſt Meridiem*

Then the Houſe adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Fox*, Mr. *Baynton* and Mr. *Maſters* be a Committee to prepare and bring in an Anſwer to that Part of the Governor's Meſſage of this Day, which reſpects Admiral *Boſcawen's* Demand of Seamen from this Government.

Ordered, That Mr. *Norris*, Mr. *Galloway*, Mr. *Roberdeau*, Mr. *Maſters*, Mr. *Gibbons* and Mr. *Ingham* be a Committee to enquire into the Management of the late Hearing and Acquittal of *William Moore*, Eſq; before the Governor and Council, and report thereon to the Houſe this Sitting; and the ſaid Committee have Power to ſend for Perſons, Papers, *&c.*

Adjournment *September* 13.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

Adjournment *Poſt Meridiem*

The Houſe met, and adjourned to Three o'Clock, *P. M.*

The Governor ſent down to the Houſe, by Mr. *William Peters*, Deputy Secretary, a written Meſſage, together with a Letter to his Honour from General *Forbes*, which were ſeverally read, and are as they reſpectively follow, *viz.*

GENTLEMEN,

A Meſſage from the Governor to the Aſſembly.

'I LAY before you a Letter from General *Forbes*, which I have juſt received by Ex-'preſs. You will thence collect the Situation of Affairs under his Direction; and 'I moſt earneſtly entreat you will conſider it, and, on this preſſing Occaſion, do every 'Thing in your Power to promote the King's Service, by falling on the moſt ſpeedy 'and effectual Method for ſupplying the King's Army with Carriages, for want of 'which the General is in the utmoſt Diſtreſs.

September 13, 1758. *WILLIAM DENNY.*"

SIR,

Fort *Loudoun*, *September* 9, 1758.

Letter from General *Forbes* to the Governor.

I HAVE the Honour of laying before you the Situation of his Majeſty's Affairs under my Direction in theſe Southern Provinces, at this critical Juncture; and at the ſame Time to ſhew you how much it depends on you and the People of this Province, to aſſiſt in carrying on a Service which his Majeſty has ſo much at Heart, or, by their Neglect and Obſtinacy, have it in their Power to render every Step that has been taken (for the Safety of theſe Colonies) fruitleſs, and to no Purpoſe, but to expend a very great Sum of Money.

The laying in Proviſions for the Support of the Army I attempted to do without even being obliged to impreſs any Carriages. The Quantity of Proviſions to have been collected at our principal Magazine, has fallen greatly ſhort of what I had Reaſon to expect, becauſe moſt of the Waggons were not loaded with more than Fourteen Hundred Weight, and took a Third more Time in the Carriage than they ought to have done, which obliged us to break in upon the Stock of Proviſions laid in at *Rays-Town*, while the Troops were opening a Road over the Mountains, and ſecuring its Communication, which is now effectually done to within forty Miles of the *French* Fort; ſo that if the Inhabitants who have Waggons are not obliged to furniſh a ſufficient Number of them, who, in one Trip to *Rays-Town*, might tranſport the Quantity of Proviſions wanted, and where they may receive Payment for the Trip, at a juſt and equitable Price, to be fixed by Authority, in Proportion to the Quantity of Proviſions ſo delivered, and to the Length of the Journey that they make, the Expedition cannot go forward; nor can I maintain the Ground I am already Maſter of, but ſhall be obliged to draw off my Maſter's Forces to the inhabited Parts of the Country, and take Proviſions and Carriages wherever they can be found. The Evil which will attend this Procedure is, that the Innocent muſt ſuffer with the Guilty, and the Exigence of the Caſe is ſo preſſing as to admit of no Delay.

I know there has been ſeveral Complaints made of the Scarcity of Forage, and that ſeveral Waggoners had been abuſed by Officers: If there was any Scarcity of Forage, it was owing to the Want of Waggons for its Tranſport; and no Driver ever made his Complaint but the Perſon who abuſed him was puniſhed; ſo that I am induced to believe every Complaint of that Kind is without Foundation, and therefore ſhall not further inſiſt on a detailed Account of the infamous Breach of Contract on the Part of the Inhabitants.

I have ſent to *Philadelphia* the Quarter-Maſter General, who will explain to you fully the

the Situation of the Army. I ſhould be ſorry to employ him in executing any violent Meaſures, which the Exigency of Affairs I am in at preſent muſt compel me to do, if I am not relieved by a ſpeedy Law for the providing the Army with Carriages, or a general Concurrence of Magiſtrates, and People of Power in thoſe Provinces, in aſſiſting, to their utmoſt, to provide the ſame, and that with the greateſt Diligence. 1758. *September* 13.

Every Thing is ready for the Army's advancing; but that I cannot do, unleſs I have a ſufficient Quantity of Proviſions in the Magazines at *Rays-Town*. The Road that leads from the advanced Poſts to the *French* Fort, may be opened as faſt as a Convoy can march it; therefore my Movement depends on his Majeſty's Subjects entering chearfully in carrying up the neceſſary Proviſions. The new Road has been finiſhed without the Enemy's knowing it, the Troops having not ſuffered the leaſt Inſult in the cutting it.

And as one Trip of the Waggons will be ſufficient for carrying up Proviſions to *Rays-Town*, they ſhall be paid off at that Place for the Weight they carry, and diſcharged. When they arrive at *Rays-Town*, I ſhall have nothing to do, but proceed with the Army under my Command, which hitherto have exerted themſelves with the greateſt Vigour and Spirit, in the great Labour they have undergone. I have done every Thing, in the Power of Man, to carry on this Expedition with Vigour; if any Stop is made to it now, there can be no Part laid to my Charge; for this Stop you know I have long dreaded, as ſix Weeks ago I wrote circular Letters to the different Magiſtrates, to give all their Aid and Aſſiſtance in procuring Waggons to the Contractor's Agents, for tranſporting Proviſions, and that nothing has been neglected, that could occur to me, for expediting this ſo neceſſary Branch of the Service.

I need not repeat to you the Care I have hitherto been at to prevent our Parties from falling upon the *Indians*, leſt, by Miſtake, it might have fallen upon thoſe who are any wiſe well diſpoſed to us, and who are, I hope, by this Time, at *Eaſton*, to meet you, where I hope you will, as ſoon as poſſible, bring Things to an Iſſue, letting the *Indians* know that the Regard I had for them has been the only Reaſon why I had not long ago fallen upon their Towns, Wives and Children; but that now I could no longer ſtop from putting in Execution the Orders of the King, my Maſter, againſt his Enemies, and all who joined with them.

As you will ſee Mr. *Croghan*, you will be ſo good as ſend him, with thoſe who will follow, up to me as ſoon as poſſible; and pray, as ſoon as you can form any Idea how Matters are likely to turn out, let me know by Expreſs. And I beg your Sentiments, as to my Proceedings, if God grant us Succeſs, againſt the Enemy. You ſee the Difficulty of leaving a Garriſon there, and you know how your Province have put it out of my Power of leaving any of their Troops after the Firſt of *December*; ſo I am really at a Loſs what Step I muſt take. I have the Honour to be,

Sir, Your moſt obedient and moſt humble Servant,

JOHN FORBES.

P. S. As I am willing to embrace every Meaſure for carrying on the Service, I have wrote to ſeveral of the Members of the Aſſembly, to deſire their Aſſiſtance in relation to Carriages, as I ſuppoſe you may think it proper to lay my Letter before them."

The foregoing Letter from the General, together with his Honour's Meſſage attending it, being read, and ſome Time ſpent in Debate thereon, they were referred to further Conſideration.

The Committee appointed to bring in an Anſwer to Part of the Governor's Meſſage of the Twelfth Inſtant, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame was read.

Then the Houſe adjourned to Ten o'Clock To-morrow Morning. Adjournment

September 14. The Governor, by Mr. Secretary, ſent down to the Houſe ſome *Indian* Conferences, mentioned in his late Meſſage, with other Papers relative thereto, ſome of which were read at the Table.

The Anſwer to Part of the Governor's Meſſage of the Twelfth Inſtant being tranſcribed, was again read, agreed to, ſigned by Mr. Speaker, and is as follows, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly.

WE have conſidered your Honour's Meſſage of the Twelfth Inſtant, ſo far as it relates to Admiral *Boſcawen's* Requiſition of a Supply of Seamen from this Colony, " as Recruits towards manning the Fleet under his Command," and have reconſidered the Secretary of State's Letter of the Thirtieth of *December*, 1757, to which you have been pleaſed to refer us in your ſaid Meſſage; and are of Opinon, that if it was expected we ſhould recruit his Majeſty's Fleet at the Expence of this Province, we are at preſent ſo circumſtanced that it is not in our Power to comply with it. Your Honour muſt be ſenſible, that the Sitting of this Aſſembly muſt ſoon terminate, and the large Grant we have

1758. *September* 14. have already made to his Majeſty for the Service of the current Year, is almoſt expended; what little remains we apprehend will be taken up in defraying the Expences of the enſuing Treaty at *Eaſton*, which though for the immediate Service of the Crown, and the general Intereſt of the Colonies, is likely to become principally, if not wholly, a Charge upon this Province.

September 14, 1758.

Signed by Order of the Houſe,
THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Baynton* and Mr. *Plumſted* wait on the Governor with the foregoing Meſſage, and acquaint his Honour, that the Houſe will take the other Parts of his laſt Meſſage into Conſideration, and give him an Anſwer thereto with all convenient Diſpatch.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Members appointed to wait on the Governor, reported, they had delivered the Meſſage of the Houſe according to Order, to which his Honour was pleaſed to ſay, it was very well.

The remaining Papers, relative to *Indian* Affairs, ſent down by the Governor, were read, by Order, at the Table.

The Houſe then taking into Conſideration the other Parts of the Governor's Meſſage of the Twelfth Inſtant,

Ordered, That Mr. *Norris*, Mr. *Maſters*, Mr. *Aſhbridge* and Mr. *Yorke* be a Committee to prepare and bring in an Anſwer thereto.

Adjournment — Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 15. The Committee appointed to bring in an Anſwer to the latter Part of the Governor's Meſſage of the Twelfth Inſtant, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read, was ordered to be tranſcribed.

The ſaid Anſwer to Part of the Governor's Meſſage being tranſcribed, was again read, ſigned by Mr. Speaker, and follows in theſe Words, *viz.*

May it pleaſe your HONOUR,

A Meſſage to the Governor from the Aſſembly. IN Anſwer to that Part of your Meſſage of the Twelfth Inſtant, relating to *Indian* Affairs, we heartily approve of the general Meeting, which has been agreed upon to be held at *Eaſton*, as the moſt probable Means of regaining and confirming the antient Friendſhip and Alliance of the Natives to the *Britiſh* Intereſt; to which End this Province hath exerted itſelf in a particular Manner, and at a very great Expence.

In an Affair ſo intereſting to our moſt gracious Sovereign, and the *Britiſh* Nation, we ſincerely hope with you, that every Hand and Heart will be united in bringing this Treaty to an happy Iſſue.

Signed by Order of the Houſe,
THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Baynton* and Mr. *Yorke* wait on the Governor with the foregoing Meſſage, and acquaint his Honour, that the Houſe have appointed Mr. *Norris*, Mr. *Fox*, Mr. *Hughes*, Mr. *Roberdeau*, Mr. *Galloway*, Mr. *Maſters*, Mr. *Strickland* and Mr. *Gibbons* to be a Committee to attend the enſuing Treaty at *Eaſton*.

Adjournment — Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem — The Members appointed to wait on the Governor with the Meſſages of the Houſe, reported, they had delivered the ſame according to Order.

The Houſe went upon the Conſideration of a Supplement to the Flour Act, near expiring, and after ſome Time ſpent therein, adjourned to Nine o'Clock To-morrow Morning.

Adjournment

September 16. The Houſe taking into Conſideration General *Forbes's* Letter of the Ninth Inſtant, for procuring a Number of Waggons to tranſport Proviſions to *Rays-Town*, for the Uſe of the Army,

Ordered, That Mr. *Norris*, Mr. *Fox*, Mr. *Maſters*, Mr. *Melvin*, Mr. *Hunt*, Mr. *Saunders*, Mr. *Allen*, Mr. *Yorke* and Mr. *Plumſted* be a Committee to prepare and bring in a Bill for that Purpoſe.

Adjournment — Then the Houſe adjourned to *Monday* next, at Three o'Clock in the Afternoon.

September 18. The Houſe met, purſuant to their Adjournment.

Poſt Meridiem — The Committee appointed to bring in a Supplementary Bill to the Act, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majeſty's Service*, reported, they had eſſayed a Draught for that Purpoſe, which they delivered at the Table, and the ſame being read the firſt time,

Adjournment — The Houſe adjourned to Ten o'Clock To-morrow Morning.

September 19. The Houſe reſumed the Conſideration of the Supplementary Bill to the Act, entituled,

An

An Act for regulating the Hire of Carriages to be employed in his Majesty's Service, which was read the second time, and ordered to be transcribed. 1758.

Then the House adjourned to Four o'Clock, *P. M.* *September* 19. Adjournment

The Supplement to the Act, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, being transcribed, was read the third time, and compared at the Table. *Post Meridiem*

Resolved, That the said Bill do pass.

Ordered, That Mr. *Grubb* and Mr. *Wayne* wait on the Governor therewith for his Assent to the same.

The Committee appointed to enquire into the Management of the late Hearing of *William Moore*, Esq; before the Governor and Council, reported they had made some Progress therein, but that one *Benjamin Robinson*, a material Witness, had refused to appear before them;

Whereupon it was ordered,

That the Clerk do make out a Warrant to the Serjeant at Arms, for taking, and forthwith bringing the said *Robinson* before the said Committee; which Warrant being made out accordingly, the same was signed by Mr. Speaker, and delivered to the Serjeant.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Supplement to the Act, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, reported they had delivered the same according to Order, and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power. *September* 20.

The Governor, by Mr. Secretary, sent down the Bill, entituled, *A Supplement to the Act, entituled, An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, with a verbal Message, that his Honour would attend in the Council Chamber at half after Twelve o'Clock, to enact the same into a Law.

A Message by the Secretary:

SIR,

"The Governor desires the Attendance of Mr. Speaker, and the House, in the Coun-
"cil Chamber, in order to enact the Bill, which has been agreed upon by the Gover-
"nor and Assembly, into a Law."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that they had waited on his Honour with the Bill, entituled, *A Supplement to the Act, entituled*, "*An Act for regulate-*
"*ing the Hire of Carriages to be employed in his Majesty's Service*," to which the Governor had been pleased to give his Assent, by enacting the same into a Law.

Ordered, That Mr. *Smith* and Mr. *Roberdeau* do see the Great Seal affixed to the said Law, and the same deposited in the Rolls Office.

Then the House adjourned to Three o'Clock, *P. M.* Adjournment

The Members appointed to see the Great Seal affixed to the Bill passed into a Law in the Forenoon, and the said Law deposited in the Rolls Office, reported, they had seen the same done according to Order. *Post Meridiem*

The House then resumed the Consideration of the Flour Act, near expiring, and after some Time spent therein,

Ordered, That Mr. *Norris*, Mr. *Masters*, Mr. *Ashbridge* and Mr. *Ingham* be a Committee to prepare and bring in a Bill for extending the Continuance of the Supplement to the Act, entituled, *An Act for preventing the Exportation of Bread and Flour not merchantable*, and for the new Appointment of Officers to put the said Law in Execution.

The Committee appointed to bring in a Bill for the Purposes above mentioned, reported a Draught thereof to the House, which was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The House resumed the Consideration of the Bill, entituled, *An Act for the Continuance of the Supplement to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable*, &c. which was read a second time, and ordered to be transcribed. *September* 21.

Then the House adjourned to Four o'Clock, *P. M.* Adjournment

The Bill, entituled, *An Act for the Continuance of the Supplement to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable*, &c. being transcribed, was read the third time, and compared at the Table. *Post Meridiem*

Resolved, That the said Bill do pass.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor therewith for his Assent to the same, and acquaint his Honour, that the Clerk's Absence from the House is the Reason of the said Bill's being signed by the Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning. Adjournment

The Members appointed to wait on the Governor with the Bill passed last Night by *September* 22.

1758. *September 22.* the Houſe, reported, they had delivered the ſame according to Order, and that his Honour was pleaſed to ſay, he would take the ſaid Bill into immediate Conſideration, and give it all the Diſpatch in his Power.

Adjournment *Poſt Meridiem* Then the Houſe adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Gibbons* and Mr. *Strickland* wait on the Governor, and acquaint him, that the Houſe are deſirous to know whether his Honour has yet conſidered the ſhort Bill before him, and when they may expect his Reſult thereon, their Time being now very ſhort, and the Governor liable, on a few Hours Warning, to be called upon to attend the *Indian* Treaty at *Eaſton*.

The Members appointed to wait on the Governor, return, and report, they had delivered the Meſſage of the Houſe according to Order, and that his Honour was pleaſed to ſay, he had the Bill, ſent up laſt Night, then under Conſideration, and ſhould give it all the Diſpatch in his Power; but did not know when the Houſe might expect his Reſult thereon.

Adjournment Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 23. The Houſe met, and adjourned to *Monday* next, at Three o'Clock in the Afternoon.

Adjournment *September 25.* *Poſt Meridiem* Mr. Speaker, with Twenty-two of the Members, met, purſuant to Adjournment, but one being wanted to make a Quorum, they adjourned to Eleven o'Clock To-morrow Morning.

Adjournment *September 26.* The Houſe met, purſuant to their Adjournment.

The Governor, by Mr. Secretary, ſent down the Bill, entituled, *An Act for the Continuance of an Act of Aſſembly of this Province, entituled, A Supplementary Act to the Act, entituled, "An Act for preventing the Exportation of Bread and Flour not merchantable," and for the new Appointment of Officers to put the ſaid Law in Execution*, with a verbal Meſſage, that he would be ready to paſs the ſame into a Law, whenever it ſhould be preſented to him for that Purpoſe.

Ordered, That the Bill, returned by the Secretary, to which the Governor hath given his Aſſent, be immediately engroſſed.

Ordered, That Mr. *Morton* and Mr. *Trimble* wait on the Governor, and acquaint him, that the Bill, to which he hath given his Aſſent, may be engroſſed by Five o'Clock in the Afternoon, if at that Time it would be agreeable to his Honour to enact the ſame into a Law.

The Members appointed to wait on the Governor with the foregoing Meſſage, reported, they had delivered the ſame according to Order; and that his Honour was pleaſed to ſay, he would attend at Five o'Clock this Afternoon in the Council Chamber, to enact the ſaid Bill into a Law.

The Committee appointed to enquire into the Management of the late Hearing of *William Moore*, Eſq; before the Governor and his Council, delivered their Report thereon to the Houſe, in Writing, which was in Part read.

Adjournment Then the Houſe adjourned to Three o'Clock, *P. M.*

Poſt Meridiem The Bill returned by the Governor in the Forenoon, being engroſſed, was compared at the Table.

The Governor ſent down to the Houſe the following verbal Meſſage, *viz.* "That his "Honour was very ſorry it was not in his Power, from the Secretary's being ſuddenly "called out of Town, to attend the Houſe at the Hour appointed this Afternoon; but "that he would be in the Council Chamber at Eleven o'Clock To-morrow Morning, in "order to enact the Bill agreed upon into a Law."

The remaining Part of the Report of the Committee appointed to enquire into the Management of the late Hearing and Acquittal of *William Moore*, Eſq; before the Governor and Council, being read, was agreed to by the Houſe, and follows in theſe Words, *viz.*

Report of the Committee appointed to enquire into the Acquittal of *William Moore*, &c.

YOUR Committee, upon examining the Minutes of the laſt Aſſembly, find, That from the Commencement to the End of their annual Seſſion, they were repeatedly interrupted in the Buſineſs of Legiſlation by a Number of Petitions preſented to the Houſe, from Time to Time, by the Inhabitants of *Cheſter* County; ſome of them ſigned by a great Number jointly, others ſingly, by diſtreſſed Widows, and many poor labouring Men, who were burdened by large Families of ſmall Children, charging *William Moore*, as well with many Acts of Injuſtice, Extortion and fraudulent and corrupt Practices in his Office of Juſtice of the Peace, as in his private Tranſactions as a Dealer, and entreating that Houſe to redreſs their reſpective Aggrievances; ſome of them declaring, that unleſs they could obtain it from them, they had not the leaſt Expectation of it from any other Quarter; having, from Time to Time, as is well known to your Committee, made ſeveral fruitleſs Applications to the executive Part of Government for that Purpoſe; but through the Intereſt of the ſaid *Moore*, by himſelf, or the Interceſſion of his Friends, their Complaints had been diſregarded, and their Injuries not only unredreſſed, but unheard. We further find, that Houſe, in Compaſſion to the diſtreſſed Petitioners, and

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from a just Sense of their Duty, having given the said *Moore* repeated Notices to attend and vindicate his Conduct, if he could, proceeded to examine into the Complaints, with the utmost Candour and Impartiality, and in the most public and solemn Manner, a great Number of the reputable Inhabitants attending on that Occasion. And many Acts of Extortion, fraudulent and corrupt Practices, and excessive Oppression, being fully proved against him, by a great Number of Witnesses, to the general Satisfaction of the House, they apprehended it their indispensable Duty to address the Governor to remove the said *Moore* from his said Office of Justice of the Peace, and from all his public Offices, Posts and Employments within the Government, under an Expectation thereby to procure, for the future, an Indemnity to the unhappy Sufferers, and that Relief which it is the Right of every Subject to expect under an *English* Government. 1758. *September* 26.

But the Governor, regardless of the Address of the Representatives of the People, through the Influence of some of the Proprietary Council, as your Committee have good Reason to believe, hath continued the said *Moore* in his said Office, to the great Terror and Oppression of the People, for near a Twelvemonth, under a Pretence of giving the said *Moore* a Hearing before him and his Council, to satisfy his Conscience, whether the said *Moore* was a fit Minister of Justice.———A great Number of positive and clear Affidavits, taken in the most solemn and public Manner, and laid before his Honour, not being sufficient for that Purpose.

Your Committee must have been at a Loss to account for this strange Conduct in the Governor and his Council, had they not been Witnesses to an apparent Design to overthrow the Constitution, and enslave the People, by depriving their Representatives of their most essential Rights, Powers and Privileges, and particularly that of redressing the Aggrievances of the Subject. We apprehend it cannot be necessary to say much to convince the House, that upon the Preservation of this Power in the Assembly, the Security of the Liberties and Properties of the People essentially depends. It is the most important Check in the Constitution on the Actions of wicked Officers, who hold their Commissions during Pleasure, and of Course are under the Influence and Direction of the executive Part of Government. Magistrates, whose Duty it is to administer Justice, and relieve the Distressed, will become the Instruments, in the Hands of Power, to oppress the People, and enslave the Country, when they know they are answerable only to those whom they serve, and will support them *at all Events*. In short, as a due Support and Exercise of this Power in our Assembly must *bring about* an upright Administration of Justice, a faithful Execution of our Laws, and a Restoration of our late happy Constitution; so on the contrary your Committee are of Opinion, the Want of it must, in the End, necessarily render the Liberty and Property of the Subject precarious, tend to a Subversion of our Laws, and an Innovation in the Government, from a State of Freedom and Liberty, to that of the worst of Tyranny and Oppression; the Oppression of inferior Instruments, under Colour of Law.

This Design will appear more evident, when it is recollected, that the late infamous Libel against the Powers of Assemblies, signed by the said *Moore*, was advised and approved of by some of the Proprietary Council, denying the Authority of the Assembly to enquire into and redress the Injuries of the People. Besides, if this was not the Design, your Committee cannot conceive why the Governor, when the Address of the Assembly was presented to him to remove the said *Moore*, and the Affidavits laid before him, containing all the Crimes laid to his Charge, did not order the King's Attorney, who is likewise one of his Council, to prosecute him in the inferior Courts of Justice, where some of them were cognizable. Had a private Person made Information to the Governor, or the King's Attorney, of any Acts of Extortion and Fraud against *William Moore*, can it be disputed that it was not their Duty to set on Foot a Prosecution against him, that public Justice might be done?——Could such an Enquiry as was lately instituted before the Governor and Council, satisfy the Laws or public Justice? Is it reasonable to think that a Governor, who was desirous of honestly discovering the Guilt or Innocence of a Person accused, would not rather chuse to have had him tried by a Court of Justice, appointed by his own Commission, and a Jury of the Country, than by an illegal, anti-constitutional and arbitrary Mode of Trial before himself and Council, unprecedented in our Mother Country, and but lately instituted here, to serve the Purposes of supporting bad Men in their Acts of Oppression; especially as it was destitute of any legal Power of compelling the Attendance of the Parties or Witnesses, of administring the Oath to them when attending, and every Kind of judicial Authority, necessary to a legal and just Enquiry.

Your Committee therefore apprehend, that this Hearing was calculated, not for the Sake of enquiring into the Guilt or Innocence of *William Moore*, but to render ineffectual the Enquiries of the late Assembly, and to prevent, for the future, the Representatives of the People from exercising that essential Power of examining into their Oppression, and redressing their Grievances; a Power indispensably necessary in a mixt Form of Government, to check and suppress the extravagant and lawless Use of Authority in the executive

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cutive Part of Government; and therefore is of the moſt dangerous Conſequence to the Freedom of the Conſtitution, and Rights of the People.

After theſe Obſervations, your Committee beg Leave to acquaint the Houſe, that, in Purſuance of their Orders, they proceeded to hear a Number of Perſons, who were preſent at this Hearing before the Governor and Council, who were all examined in the moſt ſolemn Manner; by whoſe Teſtimony the foregoing Obſervations are abundantly confirmed.

GEORGE ASHBRIDGE and SAMUEL LIGHTFOOT, Eſquires, being examined, both agreed, that when ſeveral of the Complainants, who charged the ſaid *Moore* with corrupt and fraudulent Practices, appeared to make good their Charge, they were told by the King's Attorney, and one of the Governor's Council, that they would not enquire into any Matters but ſuch only as related to the Malfeazanze in the public Office of the ſaid *Moore*, by which Means many of the Petitioners, who had been greatly injured and defrauded, returned Home unheard. Among which your Committee beg Leave to mention one.

JOHN CARL being examined before the late Houſe of Aſſembly, declared, that he purchaſed a Term of Years in a Piece of Land, in *Pikeland* Townſhip, in *Cheſter* County, for which he paid, and obliged himſelf to pay, *Three Hundred* and *Thirty Pounds*. That ſome ſhort Time after, the Leſſor applied to him for *Forty-three Pounds*, Rent due, but unknown to this Examinant at the Time of Purchaſe; that he, this Examinant, made this known to the ſaid *Moore*, who adviſed him to make over his Leaſe to him, the ſaid *Moore*, and alſo One Hundred and Forty-ſeven Buſhels of Wheat, Eighty Buſhels of Oats, Eight Waggon Loads of Hay, a Waggon, Two Horſes, and Gears for Four Horſes, promiſing that he would ſecure them for him, this Examinant, and his Family, in Spite of all his Creditors. That by theſe fair Promiſes the Examinant was prevailed on to aſſign over the ſaid Leaſe. That the ſaid *Moore* then produced a Bond for *Fifty Pounds*, and deſired the Examinant to ſign it, which he refuſed, declaring, that as he owed him, the ſaid *Moore* nothing, he knew not why he ſhould ſign that Bond. That the ſaid *Moore* replied, you Fool, if you bring a Child to be chriſtened, muſt not you give it a Name? I (the ſaid *Moore*) muſt have ſomething to ſhew the People why I hold theſe Goods. That hereupon the Examinant was prevailed on to execute the ſaid Bond, and a Bill of Sale for the Goods before mentioned. That upon this the ſaid *Moore* told him, he would give the Oats to his Horſes, that they might be ſtrong to carry him, this Examinant, off in the Spring. That the ſaid *Moore* further adviſed him, this Examinant, to go to *Germany*, and to be ſeen here no more, and offered him Money to carry him thither. That this Part of his Advice was too terrible, as he could not bear the Thoughts of leaving his Wife and ſix ſmall Children to ſuffer Hardſhips and Want. And this Examinant further ſaid, that he was not, at the Time of the Aſſignment, indebted any Thing to the ſaid *Moore*, and that he never received any Conſideration for his Effects, but one *Piſtole*. And that he was not indebted to any other Perſon than as aforeſaid, ſave *George Aſhbridge*, who never ſued him.

JOHN ADAMS being examined in Support of the foregoing Facts, declared, that being a Conſtable in the Neighbourhood, he was frequently aſked by the ſaid *Moore*, whether the ſaid *John Carl* was in Being, or whether in Goal or not; upon being told that he was neither dead nor in Goal, the ſaid *Moore* requeſted the Examinant to adviſe the ſaid *Carl*, when he ſaw him again, to go out of the Parts, and to tell him there were many Warrants or Writs out againſt him, the ſaid *Carl*, that ſhould he be taken, the ſaid *Moore* could not ſave him from Goal, and that the ſaid *Moore* ſent a Horſe by the Examinant to the ſaid *Carl*, that he might make the beſt of his Way off. That the Examinant had no Warrants (though a Conſtable at the Time) to ſerve on the ſaid *Carl*, except one, ſomething under *Five Pounds*, whoſe Iſſue depended on another Warrant, by which *Five Pounds* was recovered, and paid to the ſaid *Carl's* Wife.

It alſo appears to your Committee, that the ſaid *Carl* did run away from this Province to *Virginia*, where he remained ſome Time, and is now returned, but as yet deſtitute of any Redreſs againſt the Fraud of the ſaid *Moore*.

GEORGE ASHBRIDGE being examined, declared, that a conſiderable Time after he heard that *John Carl* was run away, on or about the Twenty-firſt of *January*, 1755, he went to *William Moore's*, to ſee if he had any Effects of ſaid *Carl's* in his Hands, (as the ſaid *Carl* was, at the Time of his abſconding, indebted to the Examinant, in a conſiderable Sum of Money) upon which he, the ſaid *Moore*, told him, the ſaid Examinant, that *Carl* was much indebted to him, and that he had got his Place, for which he gave him, ſaid *Carl*, *Fifty Pounds*; the Examinant then aſked him, the ſaid *Moore*, if he would let him have it for *Fifty Pounds?* After a little Conſideration, ſaid *Moore* ſaid he would; and accordingly brought the Leaſe, and ſat down to draw the Aſſignment, but making a Stop, ſaid he had a Judgment Bond of *Carl* for *Fifty Pounds*, beſides the *Fifty Pounds* he had bought the Place for; that he alſo had ſome Wheat, and a Waggon, with two Horſes, that was to be deducted out of it; but there would be a Balance due to him

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after, and that the Examinant must pay that too, which was agreed to; then the Assignment was made, and the Examinant obligated himself, on the Back of the said Judgement Bond, to pay to said *Moore* what would be justly due to him from said *Carl*, upon a fair Settlement, and the next Day the Examinant paid the first mentioned *Fifty Pounds*; afterwards he, the said Examinant, went to said *Moore*, to have a Settlement, and to pay the Balance that should appear to be justly due upon this Judgment Bond, agreeable to his Contract; but said *Moore* told him, that his Books were not posted, and so could not conveniently settle with him then, and put it off at that Time; the said Examinant went a second time, when he had got an Account of the Effects in said *Moore's* Hands, which, to the best of his Remembrance, was One Hundred and Forty-seven Bushels of Wheat, and Eighty Bushels of Oats, a Waggon, Two Horses, and Gears for Four Horses, which he desired to have allowed: But the said *Moore* then would allow of no Settlement, but demanded of said Examinant the full Sum of *Fifty Pounds* upon Account of the Judgment Bond; and further said, that nothing short of that Sum should excuse him; the Examinant then told said *Moore*, that he knew what he had engaged to do, and that he would not pay the *Fifty Pounds*; and farther, that if he would not settle with him according to Agreement, he would sue him to a Settlement, for he would not let his Obligation remain on the Judgment Bond as it was, but that he could not get any Thing done at that Time. That on or about the Eighth Day of *September* following, he met with said *Carl's* Wife, who told him, that said *Moore* denied having received any Money of the said Examinant for the Place, and offered to go to said *Moore's*, to prove that he had not paid any, which was agreed to. And that they, the Examinant and *Carl's* Wife, did meet at said *Moore's*, and, after a good deal of Discourse, the said *Moore* brought the aforesaid Judgment Bond, and, without any Consideration, offered him, the said Examinant, the said Judgment Bond, and told him to take off his own Seal, without defacing the Bond; but the Examinant replied, that nothing less than taking off his Name, as well as Seal, would satisfy him, and accordingly cut both off, as would appear by the said Bond, were it produced; and that the said *Moore* acknowledged, before the said *Carl's* Wife, that he had received the said *Fifty Pounds*, and denied he had told her to the contrary. 1758. *September* 26.

Here your Committee must observe, that had the Governor nothing else in View but "to satisfy his Conscience whether *William Moore* was a fit Minister of Justice," as he has expressly declared, they cannot see why this *heinous* Fraud, so well attested, should not deserve his Notice. For certainly if a Man at once, by Art and Contrivance, can defraud the Creditor of his just Debt, rob the Owner of his Property, and reduce a helpless Family to Poverty and Want, he cannot be esteemed a "fit Minister of Justice," nor hesitate as a Justice of the Peace to perpetrate Crimes, oppressive to the Subject, under Colour of his Office; Power of any Kind ought not to be trusted in the Hands of such a Person.

MICHAEL CYPHER being next examined, declared, that upon the Tenth of *August*, 1755, he purchased of *Conrad Shymer*, in the Presence of *Simon Shunk*, his, the said *Shymer's*, Son-in-Law, a Servant Girl, for which he was to give the Sum of *Four Pounds*. That this Examinant, with the said *Shymer*, went the next Day to the said *William Moore's*, to have the Indenture of said Servant assigned to him. That when the said *Moore* was about drawing the Assignment, he asked this Examinant what was the Consideration? who answered, *Four Pounds*, the said *Shymer* being by; that the said *Moore* replied, that Sum will not do; it is too mean, and that it would prove to his, this Examinant's, Prejudice, if he intended to sell the Girl again, for if any Person who inclined to purchase should see such a trifling Sum in the Assignment, it would give them Reason to suspect the Servant was good for nothing, let us therefore put down *Fourteen* or *Fifteen Pounds*; to which this Examinant agreed. That the Assignment was made accordingly, and *Fourteen Pounds* inserted as the Consideration. That in *March* following, *Conrad Shymer* told him, this Examinant, that he must go to said *Moore's* about the Servant Girl and the Money due for her; that this Examinant accordingly went, when *Shymer* being present, *Moore* asked him why he did not pay *Shymer?* That this Examinant replied, that he owed *Shymer Four Pounds* for the Servant, and if *Shymer* desired the Money, that he would pay him. That said *Moore* answered, that was not the Case; that the Bargain was made before him, and that he would be an Evidence that he, this Examinant, was to have *nothing for the Girl, but a handsome Reward for the Sale of her*; which the Examinant denied, and repeated his Bargain again and again, that he had bought the Girl for *Four Pounds*, in the Presence of the said *Shunk*. That the said *Moore* replied, he could or would swear that the Examinant was to have but *a handsome Reward for selling the Girl*, and asked *Shymer* what he would have of the Examinant for his Servant; who replied, *Twelve Pounds Ten Shillings*;——but being told by said *Moore* it was too much, he fell in his Demand from that Sum to *Ten Pounds*, then to *Nine Pounds*,—and at last to *Eight Pounds*;—when the said *Moore* said that was very reasonable, and told this Examinant he must pay that Sum, which he repeatedly refused;

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when the ſaid *Moore* told the ſaid *Shymer*, he might ſue the Examinant, and recover much more of him.—That the Examinant calling to Mind the Offer of the ſaid *Moore* to ſwear againſt him to a Bargain never made, and urging *Shymer* to ſue him, he was ſo intimidated and frightened, that he yielded to the Terms propoſed by the ſaid *Moore*, as he thought it in vain to contend with two ſuch powerful Opponents. That the ſaid *Moore* immediately drew two Notes of *Four Pounds* each, payable in one Month, which he, this Examinant, ſigned. That at the End of the Month he paid the *Four Pounds* due on one of the ſaid Notes, and refuſed to pay the other, deſiring *Shymer* would recollect the Bargain, and not inſiſt on it.—That *Shymer* replied, he made no Matter of Conſcience in taking it, ſince the Magiſtrate thought it was right. That ſome Time after the ſaid *Moore* ſent a Precept for him, the Examinant, for the Sum of *Four Pounds* unpaid, upon which he appeared. That the ſaid *Moore* ſhewed him the Note, aſked him if the Signing was his Hand.—That the Examinant replied, perhaps it was. That the ſaid *Moore* ſaid he was ſure it was, for he was a Witneſs to it, and aſked why he had not paid it. That this Examinant replied, it was an unjuſt Debt. That the ſaid *Moore* then told him, if he did not pay the Money, or give good Security, he would ſend him immediately to Goal. That the Examinant produced his Bail, paid the Charges, by the Orders of the ſaid *Moore*, and two Days before the Time of Payment was expired, he alſo paid the ſaid *Four Pounds* to the ſaid *Moore*.

SIMON SHUNK being examined on ſome of the ſaid Facts, ſaid, that he was ſent by *Shymer*, his Father-in-Law, to bring *Cypher* to buy the ſaid Servant; that he was preſent when the Bargain was made between the Parties, and that *Four Pounds*, and no more, was the Conſideration which the ſaid *Cypher* was to pay for the ſaid Servant.

Your Committee find theſe ſeveral Facts were declared before the Governor and his Council, in Subſtance as they are above related. But further, to confirm the Truth of the two laſt Examinations, we think it neceſſary to add the Examination of *Conrad Shymer*, the Perſon who ſold the ſaid Servant to the ſaid *Cypher*, who ſaid, that about three Years paſt he ſold a Servant Girl to ſaid *Cypher* for the Conſideration of *Four Pounds*, and no more, and that there was *nothing to be allowed, or afterwards to be paid to the ſaid* Shymer *by the ſaid* Cypher, *as a further Conſideration, ſave only the* Four Pounds, and that he never expected any further or other Conſideration. But that when he, the Examinant, was before the ſaid *Moore*, about the ſaid Aſſignment, he heard ſome Talk about having the ſaid Aſſignment drawn, and the Conſideration of *Fourteen Pounds* inſerted therein; the Reaſon of which he was ignorant of. That in *March* following a certain *Michael* and *Adam Hollman* came in Company, and informed this Examinant, that by bringing ſaid *Cypher* before ſaid *Moore*, he might get conſiderably more Money for the ſaid Servant than the *Four Pounds*, for which he had ſold her; and that the Perſon who told him of this Scheme, deſired him to come down and get *Cypher* with him, and that the Examinant need not ſay any Thing, for that every Thing relating thereto was determined on already. That accordingly the Examinant did acquaint ſaid *Cypher* that he muſt appear before ſaid *Moore* about ſaid Servant, which they both did, and that the ſaid *Moore* did draw and procure for the Examinant two Notes, for *Four Pounds* each, payable to him by ſaid *Cypher* one Month after Date. That at the ſame Time he was ſenſible that it was wrong in him to take *Four Pounds* more for the ſaid Servant than what he had ſold her for, but thought as the ſaid *Moore*, who was a Juſtice, did not object, he might ſafely do it; and that at the ſame Time the ſaid *Moore* well knew that the Girl was really ſold for *Four Pounds*, and no more.

EDWARD HUGHES, being examined by the Committee, ſaid, that about *May*, 1754, he bought a Horſe of *William Moore*, Eſq; for the Conſideration of *Twelve Pounds*, was, by Agreement, to have a Year's Credit, and gave a Bond for the ſaid Sum, payable in *May* following, without Intereſt. That in *Auguſt* next after the Agreement aforeſaid, he was apprehended by *Benjamin Robinſon*, with a Warrant at the Suit of *John Thomas*, for a Debt not exceeding *Five Pounds*, granted by *William Moore*, commanding the Conſtable to carry the Examinant before the ſaid *William Moore, and no other Juſtice*, at which he expreſſed much Surpriſe to the ſaid *Robinſon*, as he well knew he did not owe a Farthing to any Man of that Name. That the next Morning he was carried by the ſaid *Robinſon* before the ſaid *Moore*, who, *as ſoon as he ſaw* this Examinant, called him a damned Raſcal, told him he was about to cheat him out of his Money, and that he woul *commit him* for a Cheat. That the Examinant replied, he did not intend to cheat him, and would give him his *Clothes and Tools* as a Security, he being a Carpenter by Trade. That notwithſtanding the Offer aforeſaid, the ſaid *Moore* told *Robinſon*, the Conſtable, to keep him in *Cuſtody* until *John Thomas*, the Plaintiff, could be had, for he was then very ill. That the Examinant then aſked who the Plaintiff was, and whether he had left any Note or Account againſt him? declaring, at the ſame Time, that he owed no ſuch Man a Farthing. That the ſaid *Moore* anſwered, there was no Note or Account left with him, but would give him, the Examinant, no Satisfaction, or other Account of the Plaintiff. That hereupon the ſaid *Moore* took the Examinant into a Room, and told him, that *there*

were

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were some small Debts against him, which would ruin him; but if he would give him three Notes, *payable on Demand*, for the Horse before sold, he, the said *Moore*, would stand his Friend, and put him, the Examinant, in a Way that nobody should hurt him. That the Examinant, being much terrified at the Threats of Commitment, and of being detained in Custody until the Plaintiff should appear, consented, and gave three Notes, payable to the said *Moore* on Demand, two of them for *Five Pounds* each, and one for *Forty Shillings*. That the said *Moore* immediately enclosed the said Notes in a Letter to *Isaac Davis*, Esq; one of the Justices, *&c.* and commanded the said *Robinson* to keep the Examinant *in Custody, by Virtue of the said Warrant*, until he should carry the Examinant before the said *Davis*. That the said *Robinson* then demanded his Fees of the said *Moore*, who told him the Examinant must pay them. That he gave the said *Robinson* a Note for the Costs on the said fictitious Suit, which *Robinson* delivered to the said *Moore*, who afterwards received the same of *Abraham Williams*, on this Examinant's Account. That shortly after, the said *Robinson* carried the Examinant in Custody to Justice *Davis's*, and after a short Time the said *Robinson* again arrested him, at the Suit of said *Moore*, on one of the said Notes, and carried him into a Room before the said *Davis*, who produced to him his said three Notes, and read a Letter from said *Moore*, directing him to proceed on said Notes against the Examinant. That the Examinant then related the foregoing Facts to the said *Davis*, and complained of the ill Usage of the said *Moore*; but was told by the said *Davis*, that he was sorry for it, but could not help it. That the said *Davis* then gave Judgment against the Examinant, issued three Executions against his Body, by Virtue whereof he was sent to *Chester* Goal, where he remained three Weeks and three Days. And the Examinant further said, that at the Court following his Commitment, he offered to give said *Moore* sufficient Security, if he would wait untill the Money was lawfully due, which he refused, but said he would give him a Month. That afterwards he procured *Abraham Williams, by promising to make him Satisfaction by Servitude*, to become Security for him to the said *Moore*, for the Payment of the whole Money in one Month, *Ten Pounds* whereof the said *Williams* afterwards paid the said *Moore*, and likewise discharged all the Costs accrued on the said three Executions; and the Examinant repaid the said *Williams*, Part by Service and Part in Money; and the remaining *Forty Shillings* was allowed by the said *Moore*, for Work done before the Notes were given. That the Examinant hath never heard of the said *John Thomas* since, nor of any Claim any such Person had against him. That, to the best of his Remembrance, he declared the above Facts before the Governor and his Council, and was asked by one of the Council, if he had any Evidences? he replied, he had Evidences, but the Notice given him was too short to have them there: Then the said *Moore* was asked if he had any? who answered, that he had nothing but his Memorial, which he read. And that this, to the best of the Examinant's Knowledge, was, in Substance, what passed relating to his Complaint before the Governor and Council.

Benjamin Robinson being examined, declared, that about *August*, 1754, a Warrant was delivered him, as a Deputy Constable, by *Daniel Goldsmith*, signed by *William Moore*, at the Suit of *John Thomas*, against *Edward Hughes*, upon which he arrested said *Hughes*, who told the Examinant that he owed no such Man a Farthing. That he afterwards carried the said *Hughes* before said *Moore*,—who, upon meeting them, was very angry with said *Hughes*, called him a Cheat; that *Hughes* answered, he had no Design to cheat him, and offered the said *Moore* his Clothes and Tools as a Security.——That he attempted to return his Warrant to said *Moore*, who told him he must keep the said *Hughes* in Custody by his Warrant until another Constable (he being a Deputy) should come and take Care of him until *John Thomas*, who was sick, should appear. That afterwards *Moore* and *Hughes* went into the House, and left him before the Door, and on their Return he understood from them that *Hughes* had given *Moore* three Notes, two for *Five Pounds* each, and one for *Forty Shillings*, in Discharge of a Bond which *Hughes* told him was not due. That *Moore* ordered him to keep *Hughes* in Custody, by Virtue of the said Warrant, and carry him before *Isaac Davis*, Esq;——That he did demand the Costs of serving the said Warrant of *Moore*, as no Plaintiff appeared, who said *Hughes* must pay them, and that Hughes gave his Note for them and other Costs due to the said *Robinson*. That the Examinant, according to *Moore's* Orders, did carry *Hughes* to said *Davis's*, and thinks he delivered the Warrant at the Suit of said *Thomas* to him. That while they were there, he received from said *Davis* another Warrant, at the Suit of the said *Moore*, against *Hughes*, with which he again arrested him, who thereupon confessed Judgments on the said three Notes, and said *Davis* immediately issued Executions against the Body of the said *Hughes*, by Virtue of which he carried said *Hughes* to the Goal at *Chester*. That he saw *Moore's* Son deliver to the said *Davis* a Letter, which he understood, and believes, was to desire *Davis* to proceed on said Notes, to give Judgement, and issue Executions thereon.——That he never heard of any one, by the Name of *John Thomas*, appearing on the said Suit since these Things happened.

Humphrey Wayne, being examined, said, that about the Beginning of Harvest, in the

1758. the Year 1754, the ſaid *Moore* told him he wanted *Edward Hughes* to work for him,
September 26. for that he had ſold him a Horſe worth *Fifteen Pounds*, for *Twelve Pounds* only, and had given him twelve Months Credit for the Payment thereof.

CHRISTIAN EVERHART, being examined, ſaid, that he was ſummoned before *William Moore*, Eſq; to anſwer *Samuel Humphreys*. That he appeared at the Day, carried the Money, and paid it to *William Moore*, before any Judgment was given; that there were no Witneſſes ſummoned, nor Qualifications adminiſtered, as he did not deny the Debt, and was ready to pay it on his Appearance; that he aſked the ſaid *Moore* what were his Fees, who anſwered *Three Shillings*, which he then paid, and alſo *Five Shillings* to the Conſtable.

WILLIAM EVANS, being examined, declared, that he, being a Conſtable, ſummoned *Chriſtian Everhart*, at the Suit of *Samuel Humphreys*, before *William Moore*, where the ſaid *Everhart*, and *David Humphreys*, in Behalf of his ſaid Son *Samuel*, appeared; that upon converſing together, *Everhart* told *Humphreys* that he could keep him out of his Money three Months, but rather than be at the Charge of a Judgment he would pay him, and that this was before they appeared before the ſaid *Moore*; that then this Examinant went in and informed *Moore* that the Parties were at the Door; *Moore* then aſked him why he did not call them in; he replied, that the Defendant had the Money, and was willing to pay it, and *David Humphreys* was ready to accept of it, in Behalf of the Plaintiff, his Son; that *Moore* replied, you Fool! you ſhould not let the People make it up, that does not bring Griſt, or Water, (he don't remember which) to our Mills; and told the Examinant to call them immediately, which he accordingly did. That *Moore* then aſked *Everhart* if he had the Money, who replied, I don't know; *Moore* then aſked if he had Bail, he replied, he believed ſo; that the ſaid *Everhart* offered one *Chriſtian Waganer* for Bail, into whoſe Circumſtances *Moore* began to enquire, upon which *Waganer* perſuaded the ſaid *Everhart* to pay the Money, which he accordingly did in the Examinant's Preſence; that no Bail was taken, the ſaid *Waganer* refuſing, after the Enquiry aforeſaid, to be Bail; that no Service was done by the Juſtice but the Iſſuing of the Warrant, to his Knowledge; that he gave on Oath this Account to the Governor and Council, as near in Subſtance as his Memory ſerved him. That the ſaid *Moore* produced his Docket to ſhew that Bail was entered, and that there was a Stay of Execution for three Months, and ſaid he would prove the Examinant perjured.

Your Committee, to ſhew the Falſity of the ſaid *Moore's* Book, and in Support of the two foregoing Examinations, think it neceſſary to add the Affidavit of CHRISTIAN WAGANER, who being examined, ſaid, that he was preſent when his Brother-in-Law, *Chriſtian Everhart*, paid the Money due to *Samuel Humphreys*.——That the Fees charged by the ſaid *Moore* was *Three Shillings*, and the Debt *Forty Shillings*. That he did not acknowledge to ſtand Bail in the ſaid Suit, but reſolved againſt it before he left Home, expecting that *Everhart* had ſufficient to pay the Debt, and that he and this Examinant could make up the Coſts.——And it further appears to your Committee, by a Receipt from *David Humphreys*, now in our Hands, that the Money was paid at the Time of their meeting before the ſaid *Moore*, as alſo by the Examination of *Samuel Lightfoot*, Eſq; to whom the ſaid *Moore* hath confeſſed it ſince the Hearing aforeſaid before the Governor and Council, and therefore there could be no Occaſion for Bail.——The Service done by the ſaid *Moore* then being no more than iſſuing his Warrant, for which, by the Table of Fees, he ought to take but *Nine-pence*; the taking *Three Shillings*, your Committee apprehends, is extortionate and unjuſt.

JAMES PUGH, being examined, ſaid, that he bought for *Thomas Dalrymple* half a Gallon of Rum from *James Fullerton*; that ſome Time after he paid ſaid *Fullerton* for the ſaid Rum. That afterwards the ſaid *Fullerton* ſued the ſaid *Dalrymple* before *William Moore*, Eſq; That he, with the ſaid *Dalrymple*, appeared before the ſaid *Moore*, and made it appear that the Examinant had already paid the ſaid *Fullerton* for the ſaid Rum. That finding the Examinant's Allegations, in Behalf of the ſaid *Dalrymple*, not regarded, to avoid future Trouble to the ſaid *Dalrymple*, he paid for the ſaid Rum a ſecond time. That ſome Time after the ſaid *Moore* iſſued his Warrant againſt the Examinant for the Coſts accruing on the ſaid Suit againſt *Dalrymple*, although he was not a Party thereto, nor concerned therein, nor ever aſſumed to pay the ſaid Coſts. That upon this Suit he was committed to the Goal of *Cheſter*, where he was confined till he paid the Sum of *Two Pounds* and *Six-pence* for the Coſts aforeſaid, and the Coſts of the ſaid Commitment. That after his Diſcharge from Goal he received another Precept from the ſaid *Moore*, at the Suit of the ſaid *Fullerton*. That when he appeared before the ſaid *Moore*, he was informed the ſaid *Fullerton* had proved an Account againſt the Examinant, amounting to *Two Shillings* and *Three-pence Halfpenny*, upon which he offered to make his Defence, as he had paid the ſaid *Fullerton* all his Demands; but that the ſaid *Moore* would not admit him to ſay any Thing in his Defence, but ordered him to get out of the Houſe, paſſed Judgment againſt him unheard, and iſſued Execution againſt the Examinant;

upon

upon which the Examinant was obliged to give his Note to the Constable for *Fifteen Shillings*, to prevent his going to Goal a second time. 1758. September 26.

THOMAS DALRYMPLE, being examined, said, that some Time ago he wanted some Rum; that his Father-in-Law, *James Pugh*, as it was for the Use of his, the said *Pugh's*, Daughter, offered to procure it for him, the Examinant, at the Store of *James Fullerton*, which he desired him to do, and to have the Price charged to him, the Examinant, for that he had no Money at that Time. That afterwards being summoned to appear before *William Moore*, at the Suit of the said *Fullerton*, the said *Pugh* accompanied him. That upon the Evidence of the said *Pugh*, the Account of the said *Fullerton* (he not being present) was proved to be paid; but that the said *Pugh*, in order to avoid any future Trouble from said *Fullerton*, told the said *Moore* he would pay it again, and upon that delivered the said *Moore* a Bill, and that he saw other Money returned in Change.

WILLIAM BELL, being examined, said, that having heard that one *John Hambright* (to whom he was indebted a few Shillings) had left his Book of Accounts with *William Moore*, Esq; he immediately went to him, and tendered the Sum due, which the said *Moore* refused to receive, until he had paid him *Three Shillings* and *Six-pence*, which he alleged were the Costs on a Summons he had issued against the Examinant; that he never had a Summons served on him for that Money, and therefore he apprehended the said *Three Shillings* and *Six-pence* was illegally, extortionately, and, by Colour of his Office, *exacted* from him.

THOMAS ROBERTS, being examined, declared, that having heard a certain *John Hambright*, to whom he was indebted a few Shillings, had left his Book of Accounts in the Hands of *William Moore*, Esq; he immediately tendered the same to him, who refused to receive it, unless he would pay Milage, and other Costs, which he, the said *Moore*, alleged had accrued thereon, though no Precept was ever served on the Examinant.—But at last the said *Moore* received the said Debt, and obliged the Examinant to pay for a Summons, Serving and Judgment, though the Debt never was denied by him.

MORRIS EVANS, being examined, declared, that hearing that *John Hambright's* Book was lodged in the Hands of *William Moore*, and that he had sued a Number of People, and knowing that he was indebted to said *Hambright Six Shillings* and *Four-pence*, he went to the said *Moore*, in order to pay the same, and prevent Costs, but that the said *Moore* refused to receive it without Costs, *viz.* *One Shilling* for proving the Book, *One Shilling* for Serving, *Two Shillings* and *Four-pence* for Milage, and *Nine-pence* for a Judgement, though the Debt was never denied, nor any Precept served, nor, to his Knowledge, made out; and that he did borrow Money to dicharge the said Costs.

JOHN ERRIT also declared, that he was sued by *John Robinson*, for a Debt not exceeding *Five Pounds*, and gave a Freeholder Security to pay the Money in three Months before *William Moore*, Esq; and at the same Time paid, in the Presence of the said Freeholder, the Constable all his Fees. That, at the Expiration of the said three Months, the Examinant, with the said Freeholder, went to the said *Moore* to pay the Debt, but the said *Moore* obliged the Examinant to pay the Constable's Fees over again, although the said Freeholder averred they had been paid before to the Constable. That the said *Moore* said the Constable was a damned Rascal, and had no Business to receive it. That the Examinant then requested a Precept for the Constable to recover the said Costs again, not judging it reasonable he should pay it twice, but the said *Moore* refused to give him one.

WILLIAM EVANS, being examined, said, that, by Virtue of an Execution issued by *William Moore* against *Michael Nutt*, he took in Execution a Horse belonging to the said *Nutt*, published the Sale of the said Horse, at which *William Moore*, Esq; attended, called the Examinant aside, and ordered him, when he, the said *Moore*, should bid at the Horse, to strike him off to him; that, when the Horse was on Sale, some of the People desired the Privilege of riding him, to try his Gaits, which Request the said *Moore* forbid him to grant. That the Horse was, by this Means, sold for *Two Pounds Eleven Shillings*, though he was worth at the Time at least *Eight Pounds*.—That being but a young Constable, and said *Moore* a Magistrate, he did not think it right to disobey his Orders.

Thus far only your Committee have had Time to enquire into the fraudulent and extortionate Acts of *William Moore*, Esq; upwards of twenty Petitions and Complaints of the excessive Oppression of the said *Moore*, on the poorer Sort of People, remaining yet to be examined into. Many of the Witnesses are of known Credit, and as all of them stand fair and unimpeached in their Reputation, they could not fail of giving your Committee full Satisfaction as to the Guilt of *William Moore*. By such unwarrantable Proceedings as these, we apprehend, though several of the Sums extorted are not large, yet as the poorer People are mostly affected by them, it must render their Lives miserable, their Poverty insupportable, and in the End their Families must become a Burden to the Public.

1758. September 26. Your Committee beg Leave further to obſerve, that the late Acquittal of *William Moore* before the Governor and his Council not only appears to them highly partial and unjuſt, from the foregoing Examinations, but from the very Mode of the Enquiry. Firſt, Your Committee find that the Witneſſes examined were at Liberty either to qualify, or not, by which Means we do not underſtand that more than two were qualified. 2. That a Number of the Complaints laid before the Governor by the Aſſembly, even of thoſe which related to the Conduct of the ſaid *Moore* as a Magiſtrate, were not examined into, though the Governor, in his Acquittal, has endeavoured to perſuade the World, that all ſuch as related to the public Conduct of the ſaid *Moore* were with Patience and Attention heard, and the reſt referred to the Courts of Law. 3. That as to ſeveral of thoſe he did enquire into, a Paper, drawn up by the ſaid *Moore*, called his Memorial, ſupported only by his own Aſſertion, appears to your Committee to have been received as concluſive Evidence againſt what was then alleged in Support of the Charge, and the ſolemn Examinations of the late Aſſembly, then in the Governor's Poſſeſſion. Theſe being the true Circumſtances of the late Hearing before the Governor, we cannot help expreſſing our Aſtoniſhment to find him, in his Acquittal of the ſaid *Moore*, not only declare, "that the Petitions appeared to him to be entirely groundleſs, and that the ſaid "*Moore* had acted in his Office with great Care, Uprightneſs and Fidelity; but that he "was ſo far from deſerving Cenſure, that, in many Inſtances, he merited the Thanks "of every good Man, and Lover of Juſtice."

Your Committee beg Leave further to add, that the Guilt of the ſaid *Moore* appears very evident to them, from the foregoing Examinations; that he has arbitrarily deprived the Subject of his Liberty and Property by Virtue of his Power as a Juſtice of the Peace, and under Colour of his Office; that the ſaid Hearing was inſtituted with a Deſign to ſupport the ſaid *Moore* in his Oppreſſion, contrary to the earneſt Remonſtrance of the Repreſentatives of the People, and to ſerve as a Cloak for maintaining an arbitrary Miniſter of Juſtice in his Acts of Tyranny: And that if the Complaints of the Subject againſt the oppreſſive Meaſures of wicked Miniſters are to be thus ſuperficially enquired into, and paſſed over, and the ſolemn Examinations before the Repreſentatives of the People rendered ineffectual, a Door for the moſt univerſal Oppreſſion is open, and the Liberties and Properties of the People will not only be ſubject to the Will of every Chief Ruler of the Province, but to the arbitrary Inclination of each inferior Magiſtrate."

Ordered, That the foregoing Report of the Committee appointed to enquire into the Management of the late Hearing of *William Moore*, Eſq; before the Governor and Council, be forthwith publiſhed in the *Pennſylvania* Gazette.

Whereas Information hath been made to this Houſe, that a certain Perſon in the City of *Philadelphia* hath now in his Cuſtody or Power ſundry original Papers belonging to the Public, and in particular the original Draught of the City of *Philadelphia*, and ſundry Papers thereto relating.

Ordered, That Mr. *Norris*, Mr. *Fox*, Mr. *Galloway* and Mr. *Roberdeau* be a Committee to procure the ſaid Papers, and all others which are of a public Nature, and that they have Power and Authority to ſend for all ſuch Perſons, Papers, *&c.* which they ſhall deem neceſſary for the Purpoſe.

Adjournment. Then the Houſe adjourned to Eleven o'Clock To-morrow Morning.

September 27. Upon Motion for that Purpoſe,

Ordered, That *William Moore* and *William Smith*, formerly committed to the Cuſtody of the Serjeant at Arms for a Breach of Privilege, be again apprehended.

Ordered, That Mr. *Roberdeau* and Mr. *Hunt* do join with the Deputy Secretary in comparing the engroſſed Bill, to which the Governor hath given his Aſſent, with its Original.

The Members appointed to compare the ſaid engroſſed Bill with its Original, reported, they had done the ſame, and found them to agree.

A Meſſage by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Members, in the "Council Chamber immediately."

Ordered, That Mr. *Roberdeau* and Mr. *Hunt* do ſee the Great Seal affixed to the ſaid Bill when paſſed into a Law, and the ſame depoſited in the Rolls Office.

Mr. Speaker, with the whole Houſe, then waited on the Governor; and being returned, the Speaker reſumed the Chair, and reported, that they had waited on the Governor with the Bill, entituled, *An Act for the Continuance of an Act of Aſſembly of this Province, entituled, A ſupplementary Act to the Act, entituled,* "*An Act for preventing* "*the Exportation of Bread and Flour not merchantable, and for the new Appointment of* "*Officers to put the ſaid Law in Execution*;" to which his Honour had been pleaſed to give his Aſſent, by enacting the ſame into a Law.

Adjournment. Then the Houſe adjourned to Ten o'Clock To-morrow Morning.

September 28. The Members appointed to ſee the Great Seal affixed to the Law enacted Yeſterday, and the ſaid Law depoſited in the Rolls Office, reported, they had ſeen the ſame done, according to Order.

Upon

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September 28.

Upon Motion,

Ordered, That Mr. *Norris*, Mr. *Fox*, Mr. *Hughes* and Mr. *Masters* be a Committee to bring in a Bill, in Addition to the Act, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service.*

The Committee appointed to bring in a Bill, in Addition to the Act, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Half after Three o'Clock, *P. M.*

Adjournment *Post Meridiem*

The Bill, in Addition to the Act, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, being read the second time, was ordered to be transcribed, which was done accordingly.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Ingham* and Mr. *Saunders* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *September* 29.

The Members appointed to wait on the Governor with the Bill, entituled, *An Act, in Addition to an Act, entituled, An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Governor returned the Bill sent up last Night, and acquainted the House, that he would attend them at Half an Hour after Twelve o'Clock, to enact the same into a Law.

A Message from the Governor:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Members, in the "Council Chamber immediately."

Ordered, That Mr. *Fox* and Mr. *Roberdeau* do see the Great Seal affixed to the Law when passed, and the same deposited in the Rolls Office.

Then Mr. Speaker, with the whole House, waited on the Governor; and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor with the Act in Addition to an Act, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*; to which his Honour had been pleased to give his Assent, by enacting the same into a Law.

Mr. *Fox* presented at the Table the Account of the *Province Island*, which was read, and referred to the Committee of Accounts.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Adjournment *September* 30.

The Members appointed to see the Great Seal affixed to the Law enacted Yesterday, and the said Law deposited in the Rolls Office, reported, the same had been done according to Order.

The Committee appointed to inspect the Provincial Commissioners Accounts of the Disposition of an *Hundred Thousand Pounds* granted last Year to the King's Use, delivered their Report thereon at the Table, which was read, and follows in these Words, *viz.*

Report of the Committee on the Accounts of the Commissioners for disposing of £ 100,000.

WE the Committee appointed to audit and examine the Accounts of the Commissioners directed to dispose of the *Hundred Thousand Pounds* granted to the King's Use by an Act, entituled, *A Supplement to the Act, entituled, An Act for granting the Sum of* Sixty Thousand Pounds *to the King's Use, and for striking* Fifty-five Thousand Pounds *thereof in Bills of Credit, and to provide a Fund for sinking the same, and for granting to his Majesty the additional Sum of* One Hundred Thousand Pounds, report, that we have carefully examined the said Accounts, and do find, as well from the Commissioners Orders drawn on the Trustees of the General Loan Office, as from Accounts, Receipts, and other sufficient Vouchers produced to us, that not only the whole Sum of *One Hundred Thousand Pounds* aforesaid (except *Eight Thousand Pounds* thereof, deposited in the Hands of Mr. *Fox* for erecting Barracks, not yet accounted for, as the Barracks are not compleated) has been carefully and frugally laid out for the King's Service, and to no other Use or Purpose whatsoever, but that some of those Gentlemen were upon that Act considerably in Advance for the Public.

And as your Committee have not at this Time an Opportunity of stating a particular Account, agreeable to the Usage of former Assemblies, we pray an Order may be given to the Trustees of the General Loan Office, that, from the Orders drawn by the said Commissioners, they make out an Account of the said *Hundred Thousand Pounds*, to whom paid, and to what Uses appropriated, as expressed in the abovementioned Orders, that the same may be published with the Votes of this House.

RICHARD PEARNE,
DANIEL ROBERDEAU,
JOHN MORTON,
ROGER HUNT,
THOMAS YORKE,
WILLIAM PLUMSTED."

Ordered,

1758. *September* 30.

Ordered, That the Truſtees of the Loan-Office do prepare an Account of the ſaid *One Hundred Thouſand Pounds*, as expended by the ſaid Commiſſioners, to be publiſhed with the Votes of this Houſe, agreeable to the Deſire of the Committee.

Reſolved, That the Sum of *Sixty Pounds* be allowed to *Joſeph Fox*, Eſq; Barrack Maſter, in Conſideration of his Care and Trouble in providing Neceſſaries for the Soldiers quartered laſt Winter in the Barracks near this City.

Ordered, That a Certificate be made out, and ſigned by the Speaker, to *John Smith*, Eſq; of *Cumberland* County, for *Fifty-three Pounds Eighteen Shillings*, in full of his Account of Services to the Public in purchaſing Proviſions, *&c.* for the Uſe of General *Braddock's* Forces.

The Report of the Committee of Accounts being read, was approved of, allowed by the Houſe, and is as follows, *viz.*

WE the COMMITTEE appointed by the Aſſembly of the Province of Pennſylvania, *to audit and ſettle the Accounts of the General* LOAN-OFFICE, *and other Public Accounts, to ſink and deſtroy all the Bills of Credit received in Exchange, purſuant to the late Paper Money Acts, and to count all the Money, and report what Sum we ſhould actually find in the Truſtees Hands, REPORT,*

Report of the Committee appointed to ſettle the Accounts of the General Loan-Office.

THAT on the Twelfth Day of September we counted all the Money in the Hands of the Truſtees of the Loan-Office, and found the Sum of — — — £ 20,778 10 2

That upon a ſtrict Examination of all the Mortgage Deeds, (whereon any Quotas are due,) taken by Virtue of all the Acts of Aſſembly for emitting Bills, and now remaining in the Loan-Office undiſcharged, we find there are principal Sums, or Quotas thereon, to become due and payable to the Truſtees, the Sum of — — — £ 32,207 5 0

And there are ſundry Quotas now due, and remain yet unpaid on the ſeveral Acts, the Sum of — — — — 22,377 13 4

And alſo, that there are ſeveral Quotas received into the Loan-Office, in order to be burnt and deſtroyed, according to the Direction of the ſaid Acts, amounting to — 25,415 1 8

Which Sums make up the whole Sum of — — — 80,000 0 0

That the ſundry Quotas received, as per Account above, amount to the Sum of — £ 25,415 1 8

And there remains yet to be collected, to complete the two ſixth Parts of the whole Sum of £ 80,000 for the two firſt Years Sinking, the Sum of — — 1,251 11 8

Which Sums make the Amount of two ſixth Parts of the £ 80,000, — — 26,666 13 4

THAT the Truſtees, on Account of Intereſt ariſing from all the Mortgages lent out in Purſuance of the ſeveral Acts of Aſſembly, are Charged with the Intereſt outſtanding laſt Year, — — — £ 9,787 1 5

To the Intereſt ariſing on all the Mortgage Deeds the current Year, £ 2,058 6 10

To broken Intereſt received ſince laſt Settlement, — — 1,207 13 1

To Intereſt received at Diſcharge, — — — 37 14 1

3,303 14 0

To the broken Intereſt on the firſt £ 80,000, — — — 615 15 11

To the broken Intereſt on the firſt and ſecond £ 30,000, — — — 15 10 5

13,722 1 9

Balance, — — — 9,579 12 8

£ 23,301 14 5

That the Truſtees have Credit for Intereſt due to the Truſtees, for Money overpaid, £ 11,638 8 10

By Intereſt outſtanding on all the Mortgage Deeds, — — 8,752 14 3

By an Error on Robert Armor's Mortgage, — — — 0 10 0

By Ditto in the outſtanding Intereſt charged to the Truſtees laſt Year, £ 8,905 10 6, and is but £ 8,805 10 6, — — — 100 0 0

Alſo for ſundry Sums paid them for Account of the Province, viz.

Indian Expences.

1757. *Sept.* 9. Paid John Gueſt, for Shoes for H. Montour's Children, — — £ 3 13 9

Dec. 7. Paid Rebecca Burchall, for Schooling Ditto, — — 3 6 0

April 1. Paid John Elliot, for a Coffin for Jonathan Unity, an Indian Lad, — 1 10 0

May 12. Paid William Bromwich, for a Pair of Stays for Polly Montour, — 1 8 0

June 2. Paid Dr. Charles Moore, for Medicines and Attendance on H. Montour's Children, — — — — 1 5 0

Paid for nurſing H. Montour's youngeſt Child, — — 11 10 6

17. Paid William Smith, for Shoes, — — — 1 5 6

Paid for Sundries for Montour's three Children, per Account, — — 14 14 3

State-Houſe.

1757. *Oct.* 13. Paid Edmund Wolley, — — £ 50 0 0

March 7. Paid Ditto, in full of his Account for Work done at the State-Houſe, — — 31 4 6

81 4 6

Oct. 26. Paid Samuel Kirke, for Wood, — — 19 19 4

Paid Ditto, for Ditto, *December* 19, — — 23 1 4

Paid David Edwards, for Ditto, *April* 10, — — 3 10 0

46 10 8

Paid Samuel Harding, at ſundry Times, as per Receipts, in full for carved Work done at the State Houſe, viz.

Paid him, per Receipt, *December* 30, 1757, — — 10 0 0

Paid Ditto, *April* 5, 1758, — — 10 0 0

Paid Ditto, *July* 24, — — 20 0 0

Paid Ditto, *Auguſt* 16, — — 5 0 0

Paid Ditto, *Auguſt* 23, in full, — — 15 0 0

60 0 0

Credit Carried forward £ 20,718 1 3

Debit Carried forward £ 23,301 14 5

					Debit Carried forwards			£	23,301	14 5
				Credit brought over	£	20,718	1 3			1758.
1758. *Feb.* 15.	Paid James Worrall, for Work done at the Rolls Office,					3 17 7				*September* 30.
	Paid Ditto, for Sundries, Ditto,					0 13 3				
							4 10 10			
	Paid Hugh Roberts, in full for ſundry Ironmongery, &c. for the State-Houſe,						74 15 5			

General Account.

1757. *Oct.*	3.	Paid John Clarkſon, for Services, per Order,					£	10 0 0		
	6.	Paid Samuel Kirke, as Serjeant at Arms, per Order,						8 0 0		
		Paid David Edwards, Door-keeper, per Order,						50 0 0		
	20.	Paid Nicholas Scull, towards publiſhing his Map, per Order,						50 0 0		
	27.	Paid Charles Moore, Clerk to the Houſe, per Order,						110 7 6		
		By Allowance for ſinking £ 689 10 2, omitted laſt Year,						2 1 0		
		By Truſtees Salary,						500 0 0		
		By Caſh paid Sundries, for Intereſt on ſundry Provincial Notes,						283 15 0		
		By Caſh paid for ſundry Provincial Notes,			Principal,			1,370 0 0		
					Intereſt,			120 3 5		
		Which Notes we the Committee have burnt.							£	23,301 14 5

WE do further report, that we have examined the Provincial Treaſurer's Accounts, and find, That he Credits the Province, on Account of the new Exciſe,

By Caſh received of Thomas Minſhall, Collector for York County,							£	67 6 7		
Ditto of Joſeph Stretch, Collector for the City and County of Philadelphia,								2,058 3 8½		
Ditto of James Webb, Collector for Lancaſter,								352 16 7		
Ditto of John Jones, Collector for Northampton,								103 17 3		
Ditto of John Hughes, Collector for Berks,								295 0 0		
Ditto of Joſeph Hamton, Collector for Bucks,								238 14 3		
Ditto of Nathaniel Wilſon, Collector for Cumberland,								10 0 0		
Ditto of Charles Humphreys, Collector for Cheſter,								422 11 4½		
								3,548 9 9		
By Balance left in his Hands at laſt Settlement, to pay for Billetting Soldiers,								622 1 3½		
									£	4,170 11 0½
That he Charges the Province with Sundries, viz.										
To Caſh paid the Provincial Commiſſioners, the Commiſſions on £ 30,000, at One per Cent,							£	300 0 0		
To the Provincial Commiſſioners Orders to pay ſundry Perſons for Billetting Soldiers,								980 1 10¼		
To Bills of Credit burnt by the Committee, as per Receipts,								2,721 9 9		
To his Commiſſions, on £ 3,379 18 8, at Five per Cent,								168 19 5¼		
									£	4170 11 0½

THAT he Credits the Province, on Account of the old Exciſe,

By Caſh received of Joſeph Fox, Eſq; as Truſtee of the Province Iſland,							£	85 18 0		
Ditto of Peter White, and John Baſſonet, Sureties for John Hall,								17 9 0		
Ditto of Jeremiah Starr, late Collector for Cheſter,								14 17 6		
Ditto of Joſeph Redman, for Balance,								9 8 4		
Ditto of Joſeph Fox, Eſq; on Account of the Province Iſland,								98 6 0		
									£	225 18 10
That he Charges the Province with Bills of Credit burnt by the Committee, in Part of £ 341 5 2, the Balance of £ 1,000 that remains to be ſunk by the Act of Aſſembly,							£	214 13 0		
To his Commiſſions, at Five per Cent,								11 5 10		
									£	225 18 10

THAT he Credits the Province, on Account of the Sixpenny Tax,

By Caſh received of Frederick Galwick, Treaſurer for York County, at different Times,							£	391 3 0		
Ditto of John Byers, of Cumberland, ſaid to be the Balance, but no Account ſettled,								59 8 9		
Ditto of Thomas Leech, Eſq; for Outſtandings collected ſince Settlement with the Commiſſioners and Aſſeſſors,								17 2 0		
Balance overpaid, carried to the Eighteen-penny Tax Account,								498 17 10½		
									£	966 11 7½
That he Charges the Province with Caſh paid Charles Norris, per Receipts,								361 15 6		
To Caſh paid the Provincial Commiſſioners their Commiſſions, at One per Cent, on £ 60,000								600 0 0		
To his Commiſſions, at Ten Shillings per Cent,								4 16 1½		
									£	966 11 7½

THAT he Credits the Province, on Account of the Twelvepenny Tax,

By Caſh received of Thomas Leech, Eſq; at ſundry Times, in full, including a large Payment accounted for laſt Year,							£	4096 15 1½		
Ditto of Nicholas Scull, for Northampton,								366 16 9		
Ditto of Thomas Janney, Treaſurer for Bucks,								1,598 14 1		
Ditto of Robert Miller, Treaſurer for Cheſter,								3,842 6 3½		
Ditto of Jonas Seely, Treaſurer for Berks,								600 0 0		
Ditto of Bernard Hubley, of Lancaſter, in full, reckoning a large Payment included in his laſt Settlement with the Province,								1,841 5 7½		
Ditto of John Wagle, for Northampton,								7 0 0		
								12,352 17 10½		
Balance overpaid, carried to the Eighteenpenny Tax,								235 19 11		
									£	12,588 17 9½
That he Charges the Province with Caſh paid the Truſtees, at ſundry Times, as per Charles Norris's Receipts,							£	11,054 16 3½		
Paid Franklin and Hall, for Paper and Printing the £ 100,000, per Receipts,								294 13 3		
Paid Hugh Roberts, Treaſurer for the Hoſpital, for ſigning £ 55,000,								198 0 0		
Paid the Provincial Commiſſioners their Commiſſions, at One per Cent, on £ 100,000								1,000 0 0		
Paid Thomas Leech, Eſq; for repairing Stamps for Printing the £ 55,000,								10 0 0		
To his Commiſſions, at Five Shillings per Cent,								31 8 3		
									£	12,588 17 9½

1758.

September 30. THAT he Credits the Province on Account of the Eighteenpenny Tax,

By Caſh received of John Wagle, for Northampton,	£ 713	11	8½
Ditto of Thomas Janney, for Bucks,	2,211	19	9
Ditto of Bernard Hubley, for Lancaſter,	3,761	17	5½
Ditto of Thomas Leech, Eſq; for Philadelphia,	6,007	12	2
Ditto of William Delap, for York,	590	13	3½
Ditto of Robert Miller, for Cheſter,	2,895	0	0
Ditto of John Byers, for Cumberland,	130	0	0
		£	16,310 14 4½

That he Charges the Province with Sundries, viz.

To Balance of the Sixpenny Tax, overpaid,	£ 498	17	10½		
To Ditto of the Twelvepenny Tax, overpaid,	235	19	11		
				£ 734	17 9½
To Caſh paid the Truſtees, at ſundry Times, as per Charles Norris's Receipts,				15,524	0 11
To his Commiſſions on two Thirds, at Five Shillings per Cent,	£ 10,353	13	11½	25	17 10
To Ditto on one Third, at Ten Shillings per Cent,	5,171	6	11	25	17 10
				£	16,310 14 4½

THAT we have examined the Accounts of Joſeph Redman, the former Collector for the County of Philadelphia, and find,

That he Credits the Province, with the Balance outſtanding of the old Exciſe,		£ 284 13 3
That he Charges the Province with Caſh paid the Treaſurer, at twice,	£ 82 8 4	
To his Commiſſions on £ 82 8 4, at Five per Cent,	4 2 5	
To a Liſt of outſtanding Debts,	198 2 6	
		£ 284 13 3

THAT we have examined the Accounts of Joſeph Stretch, the preſent Collector for the County of Philadelphia, and find,

That he Credits the Province by Amount of Exciſe from July 1, 1757, to July 1, 1758,	£ 2,208	11	2
By ſundry Retailers, per Year,	188	17	8
By one Moiety of Fines,	4	0	6
By Balance outſtanding laſt Year,	650	15	5
		£	3,052 4 9
That he Charges the Province to Caſh paid the Treaſurer,	£ 2,058	3	8
To Commiſſions, at Five per Cent,	102	18	0
Balance outſtanding,	891	3	1
		£	3,052 4 9

THAT we have examined the Accounts of James Webb, Collector for the County of Lancaſter, and find,

That he Credits the Province by Amount of Exciſe from July 1, 1757, to July 1, 1758,	£ 339	7	2
By ſundry Retailers and Tavernkeepers,	87	0	0
By Debts outſtanding laſt Year,	305	6	4
		£	731 13 6
That he Charges the Province, to Caſh paid the Treaſurer,	£ 352	16	7
To Commiſſions at Ten per Cent,	35	5	7
To Allowance made by the Committee,	32	13	4
Balance due to the Province,	310	18	0
		£	731 13 6

THAT we have examined the Accounts of John Jones, Collector for the County of Northampton, and find,

That he Credits the Province, by Amount of Exciſe from July 1, 1757, to July 1, 1758,	£ 98	1	0
By ſundry Retailers, per Annum,	44	10	10
By outſtanding laſt Year,	47	19	1
		£	190 10 11
That he Charges the Province, to Caſh paid the Treaſurer,	£ 115	17	3
To Commiſſions, at Ten per Cent,	11	11	8
Balance outſtanding,	63	2	0
		£	190 10 11

THAT we have examined the Accounts of Joſeph Hamton, Collector for the County of Bucks, and find,

That he Credits the Province by Amount of Exciſe from July 1, 1757, to July 1, 1758,	£ 261	0	6
By ſundry Retailers,	12	7	6
By outſtanding laſt Year,	17	18	8
		£	291 6 8
That he Charges the Province with Caſh paid the Treaſurer,	£ 238	14	3
To Commiſſions, at Ten per Cent,	23	17	6
Balance due to the Province,	28	14	11
		£	291 6 8

THAT we have examined the Accounts of John Hughes, Collector for the County of Berks, and find,

That he Credits the Province by Amount of Exciſe from June 12, 1755, to June 12, 1756, when the Act expired,	£ 201	15	8
By Balance of his Account, as ſettled by the Committee, September 20, 1755,	141	13	4
Balance due to John Hughes,	12	6	5
		£	355 15 5
That he Charges the Province to Caſh paid the Treaſurer,	£ 323	8	5
To Commiſſions, at Ten per Cent,	32	7	0
		£	355 15 5

THAT

1758.
September 30.

THAT he Credits the Province by Amount of Excise from October 1, 1756, when the present Act commenced, to August 12, 1757,			£ 283 0 4
That he Charges the Province to Cash paid the Treasurer,	45 7 3		
To his Commissions, at Ten per Cent,	4 10 9		
To Allowance made by the Committee,	4 15 4		
To the Balance due to him in 1756,	12 6 5		
Balance due to the Province,	216 0 7		
		£ 283 0 4	
THAT he Credits the Province by Balance of last Account,	216 0 7		
By Amount of Excise from August 12, 1757, to August 12, 1758,	303 15 4		
		£ 519 15 11	
That he Charges the Province to Cash paid the Treasurer,	295 0 0		
To Commissions on the above Sum, at Ten per Cent,	29 10 0		
To Allowance made by the Committee,	13 16 4		
Balance due to the Province,	181 9 7		
		£ 519 15 11	
THAT we have examined the Accounts of Charles Humphreys, Collector for Chester County, and find,			
That he Credits the Province by Amount of Excise from July 1, 1757, to July 1, 1758,	497 7 2		
By Balance of Account last Year,	78 11 4		
		£ 575 18 6	
That he Charges the Province to Cash paid the Treasurer,	422 11 4		
To Commissions, at Ten per Cent,	42 5 0		
To Allowance made by the Committee,	3 0 2		
Balance due to the Province,	108 2 0		
		£ 575 18 6	
THAT Thomas Minshall, Collector for the County of York, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of			£ 67 6 7
THAT Nathaniel Wilson, Collector for the County of Cumberland, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer,			£ 10 0 0
WE do further report, that the Provincial Treasurer has paid into the Hands of the Trustees of the General Loan-Office, as per Charles Norris's Receipts, viz.			
Of the Sixpenny Tax,	£ 361 15 6		
Of the Twelvepenny Tax,	11,054 16 4		
Of the Eighteenpenny Tax,	15,524 0 11		
	26,940 12 9		
From which deduct the Allowance by Law, viz.			
For paying out £ 55,000, at Five Shillings per 100 *l.*	£ 137 10 0		
And for sinking £ 26,736, at Five Shillings per 100 *l.*	66 17 0		
	204 7 0		
		£ 26,736 5 9	
Which Sum we the Committee have burnt.			
THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees of the Loan-Office, in Exchange Money, the Sum of			£ 4,655 4 9
Which Sum still remains in their Hands unexchanged.			
AND lastly we report, that we have burnt the Sum of £ 1,650, Part of the Quota Money received in the Loan-Office,			£ 1,650 0 0

WHICH leaves in the Hands of the Trustees Twenty-three Thousand Seven Hundred Sixty-five Pounds One Shilling and Eight-pence, in Gold, Silver, and the Currency of other Governments, to be burnt and destroyed, when exchanged.

We submit these Accounts, with the others, to the Observation and Correction of the House.
Philadelphia, *the* 30*th of* September, 1758.

JOSEPH FOX,
DANIEL ROBERDEAU,
JOHN HUGHES,
JOHN BAYNTON,
RICHARD PEARNE,
JOHN MORTON."

The COMMISSIONERS *appointed by Act of Assembly for disposing of the* One Hundred Thousand Pounds *for the King's Use, &c. for Cash paid Sundries, as by their Orders drawn on the Trustees of the General Loan-Office,*

1757.		Dr.
March 24.	JAMES Young, advanced to him for paying off the Arrears of the Provincial Forces,	£ 3,000 0 0
27.	Edward Croston, in Part of Account of Provisions for Provincial Forces,	350 0 0
April 2.	William Buchanan, for Provisions, and Carriage of Ditto, for Ditto,	98 3 0
	Adam Hoops, for Balance of his Account,	271 15 0
	William Franklin, Balance of his Account, and for Postage of Public Letters,	37 8 5
4.	Hoops and Buchanan, their Account for Provisions for Provincial Forces,	4,012 6 11
5.	Samuel Burge, for Edward Croston's Order on the Commissioners,	32 10 7
	Hugh Mercer, on Boyle and Owen's Account, for Smith's Work,	15 1 8
	Carried forwards	£ 7,817 5 7

1758. 1757. *April* — *September* 30.

	Brought over,	£	7,817	5 7
5.	Ditto, for Mr. Prentice's Account for Attendance on the Men wounded at Kittanning,		19	19 0
	Adam Hoops, on Henry Crone's Account, for lodging a wounded Soldier,		4	5 0
	Barnabas Hughes, for Proviſions ſupplied Provincial Forces,		1,193	8 10½
6.	Samuel Mifflin, for his Diſburſements for the Fort,		47	1 4
	William Weſt, an Order from Robert Callender, in full of his Account,		57	17 11
	Hugh Mercer, on Doctor Thompſon's Account for Medicines and Attendance, Diet and Lodging for a ſick Soldier,		10	0 0
8.	William Clapham, in full of Pay, &c. ſettled by the late Commiſſioners,		357	14 0
	David Jamiſon, per William Nicholſon, his Account for Medicines and Attendance on ſick and wounded Soldiers at Fort Littleton, as ſettled by the late Commiſſioners,		20	0 0
9.	William Leech, Amount of his Account for Painting at the Fort,		11	13 2
	Lewis Ourry, for Diſcharge of the Quarters of ſundry Officers,		246	9 0
	James Young, towards paying off the Provincial Forces,		500	0 0
11.	Patrick Work, per John Biddle, his Diſburſements at Fort Halifax, and dieting Recruits,		10	0 4
	Levy Trump, per Ditto, for Dieting, &c. and Recruits for Col. Clapham's Regiment,		31	16 10
12.	Thomas Janvier, his Account of Smith's Work for the Province,		39	16 0
	Benjamin Loxley, in Part of his Account,		100	0 0
13.	Alexander Hill, per Mifflin and Saunders, for ſhipping Arms and Ammunition from Boſton,		2	1 1¼
	Robert Armor, for Carriage of Sundries to Harris's Ferry,		3	12 6
	John Wiſtar, in Part of Capt. Buſſe's Company, by Order,		103	4 0
15.	James Young, towards paying off Provincial Forces at Fort Auguſta, &c.		10,000	0 0
	George Gabriel, as a Guide to the Battoes, and enliſting Seventy-two Men,		50	0 0
	James Baſkins, per John Gallihen, for 1762 Feet of Boards, delivered at Fort Halifax,		6	12 2
	George Allen, as a Guide to the Battoes,		28	1 6
16.	William Weſt, for Capt. Ward's Account of Recruiting Expences,		25	12 0
	Pawlet and Deſhler, for Proviſions ſupplied the Forces at Forts Allen, Norris and Hamilton,		807	4 11½
18.	Edward Croſton, his Account of Supplies for Provincial Forces,		1,743	18 3½
19.	Alexander Lowry, for twelve Horſes and ſeven Pack Saddles, delivered Edward Croſton,		82	0 0
20.	William Hill, for Storage for the Proviſions, to April 11, 1757,		22	17 0
22.	Thomas Jarvis, for riding Expreſs, Paſturage of Indians Horſes, &c.		24	12 0
	John Jones, per Thomas Jarvis, for Services to the Province, as a Driver of Horſes,		16	4 0
	Iſſachar Davids, for going Expreſs to Eaſton and Mr. Weiſer's, with Diſpatches from the Governor,		7	0 0
	Peter Bard, for Services, and Diſburſements for the Province, to April 4, 1757,		182	1 2
	John Carſon, for Paſturage of Officers Horſes, and Blankets delivered John Mears,		9	10 0
	Samuel Simpſon, per John Simpſon, for ſhoeing Horſes for the Province,		2	10 0
	Joſeph Way, for Horſes billeted on him, and for Entertainment of Indians,		16	6 3½
23.	William Clapham, for Horſe-hire for Expreſs to Reading, Carliſle and Fort Auguſta,		5	12 2
	Ditto, in full of his Account of Pay, and Diſburſements for the Provincial Forces,		99	9 5
25.	George Stephenſon, per Richard Peters, Balance of his Account, ſettled by the late Commiſſioners,		23	17 0
29.	Samuel Robeſon, for Flour, and for Horſes ſupplied Col. Clapham's Regiment,		24	5 4
	Hieronymus Taxler, for Pay as a Soldier, and Smith's Work to the Province Arms,		14	0 0
	John Carſon, for Horſes ſupplied the Provincial Forces,		34	0 0
	Robert Erwin, for Hire of his Team in the Province Service,		180	4 6
	Moſes Standley, for ten Barrels of Gunpowder, delivered Commiſſary Bard,		100	0 0
30.	James Young, per P. Bard, towards paying off the Provincial Forces,		3,000	0 0
	Joſeph Wharton, for Houſe-rent for Col. Dunbar's Soldiers, and French Neutrals,		78	10 0
	Samuel Wharton, for Gunpowder for the Province Uſe,		232	10 0
May 1.	Samuel Smith, for Sundries delivered Mr. Fox, for Ditto,		7	4 0
3.	Thomas M'Kea, for his Diſburſements for Indians, and ten Horſes purchaſed for Ditto,		91	14 0
4.	Jacob Duché, for Houſe-rent for the wounded Soldiers of General Braddock's Army,		15	0 0
6.	Charles Jenkins, for ſtabling a Horſe belonging to the Province,		7	2 6
	Thomas Clifford, for Sundries delivered Mr. Fox, for the Uſe of the Province,		21	17 9
	Thomas Robinſon, for Flour ſupplied Col. Clapham's Regiment, and for a black Mare,		59	19 1½
	Alexander Mehart, and Caſpar Eberhart, £5 each, per Benjamin Wallace, for a ſorrel Horſe and a bay Mare, for the Uſe of the Province,		10	0 0
	Benjamin Wallace, for ſix Horſes, Ditto,		63	0 0
	James Lowry, for four Horſes, Ditto,		23	14 0
	Edward Croſton, per George Gillaſpy, towards purchaſing Flour for Fort Auguſta,		300	0 0
	George Gillaſpy, for Paſturage, and for a Horſe in the Province Service,		20	4 6
	James Cook, for eight Horſes, Ditto,		44	10 0
	David Edwards, for Sundries ſupplied the Indians, and Attendance,		93	8 9
7.	Richard Peters, for the Governor's Expences on a Treaty with the Indians at Lancaſter,		100	0 0
	Jacob Shoemaker, for Sundries ſupplied the Soldiers quartered in the City,		3	16 0
	Charles Moore, for defraying Indian Expences,		2,000	0 0
10.	John Head, for Sundries delivered Joſeph Fox, for the Uſe of the Province		31	10 4
	George Weſcott, for ſix Copper Kettles, delivered Ditto, for Ditto,		5	12 0
13.	Matthias Aſpden, for Sundries ſupplied, delivered Ditto, for Ditto,		48	0 0
14.	William Parker, for bringing down Francis Engliſh, a Priſoner, from Carliſle,		6	2 6
18.	Anna Teaff, per Alexander Stedman, for Board and Diſburſements for Capt. Newcaſtle's Niece,		16	4 0
	James Young, to pay off the firſt Battalion of the Provincial Forces,		7,000	0 0
21.	Townſend White, in full of his Account, examined by the late Commiſſioners,		10	10 0
23.	George Gibſon, for Entertainment of the Governor, his Council, and the Provincial Commiſſioners, on a Treaty with the Indians,		136	12 5
24.	Samuel Neave, for Blanketing delivered John Hughes, for the Uſe of the Province,		20	0 0
	Joſeph Fox, Eſq; for James Armſtrong's Account of Sundries, for Ditto,		23	0 11
	John Carſon, for Thomas Forſter, and Francis Ellis's Account of Horſes, for Ditto,		14	0 0
	Hugh Swan, for ſundry Perſons Accounts of Horſes, for Ditto,		36	12 0
	Ditto, for Capt. Young's Draft on the Commiſſioners in his Favour,		40	0 0
25.	Reuben Forſter, for three Pair of Wheels for the large Cannon,		9	7 6
	William Weſt, for Goods ſupplied Joſeph Fox, for the Uſe of the Province,		40	0 0
	Ditto, for Capt. Young's Draft in Favour of W. Buchanan, aſſigned to W. W.		390	0 0
	William Standley, for Earthen Ware, for the Uſe of the Province,		7	5 4
	William Allen, Eſq; for Money advanced by him to Capt. George Armſtrong,		25	2 6
	Morris and Jones, for Beer ſupplied the Soldiery,		12	17 6
	Plunket Fleeſon, for Bedding ſupplied the Indians and Soldiers, at the Hoſpital and Barracks,		381	16 8
	John Rowan, for Beer ſupplied the Soldiery,		50	13 6
26.	John Guy, for hauling Sundries from the Barracks, and Centry-boxes.		4	0 0
27.	Joſeph Pugh, Sheriff of Lancaſter, Expences in bringing 23 Indians from Lancaſter,		16	13 0
	Samuel Campbell, for Hire of a Horſe, and the Appraiſement of a black Mare, entered into the Province Service,		16	4 0
	Carried over,	£	38,596	17 3¾

1757.			£	s	d
		Brought over,	38,596	17	3¼
May	27.	John Morgan, Surgeon to the First Battalion of the Provincial Forces, from the 28th of April, 1756, to the 27th of May, 1757,	147	15	0
		Jacob Awl, in full of his own, and Thomas Carter's, Account of Horses in the Province Service, and for John Kerr's Account of Smith's Work,	10	12	0
		William Kelso, in full of his own, Alexander Morrow's, and William Ellis's, Accounts of Horses in the Province Service,	38	10	0
		Thomas M'Cleud, for Hire of a roan Mare,	5	4	0
		William Branson, House-rent for Part of the Soldiers quartered in the City, &c.	26	2	6
		David Chambers, for Ditto,	13	0	0
	28.	Jonas Seely, in full of his Account, allowed by the Commissioners February 26, 1757, and one this Day delivered, for victualling Capt. Morgan's Company to the 31st of May, 1757,	327	0	11
		John Hambright, for Recruiting Service,	40	0	0
	30.	John Hughes, Esq; his Advance for Payment of Samuel Dupui's Account against the Province,	78	9	9
		Messieurs Warder and West, for Goods for the Indian Treaty at Lancaster,	1,497	3	4
	31.	Charles Richardson, for Cartage of Stores to Fort Hunter, for the Use of the First Regiment of Foot in the Pay of the Province,	7	5	0
		Jacob Hiltzheimer, for going Express to the Governor at Lancaster, with Letters from the Honourable Secretary Pitt, by Order of the Council,	3	10	0
		Joseph Howard, for two Horses belonging to himself, and one of James Work's, in the Province Service,	20	2	0
		Thomas Mitchell, for six Horses and a Mare in the Province Service,	50	0	0
June	1.	William M'Knight, for two Horses, Ditto,	9	0	0
		Edward Morton, for a Horse and a Mare, Ditto,	14	0	0
		Michael Whitley, for sundry Accounts of Horses for Ditto,	24	0	0
		Col. Conrad Weiser, sundry Accounts for victualling said Weiser's and Capt. Busse's Companies,	250	0	0
		Thomas Chambers, for two Horses and a Mare in the Province Service,	19	0	0
		William Chesney, for ten Horses Ditto, and 2,000 Feet of Plank for Fort Hunter,	87	0	0
		Rebecca Armstrong, per Samuel Hunter, for a roan Mare entered in the Province Service,	7	0	0
		Samuel Hunter, for keeping four Horses Ditto, and dieting 160 Indians one Day, on their Way to Lancaster,	8	0	0
		Jacob Awl, for Samuel Steel's Account, shoeing thirty Horses in the Province Service,	3	0	0
	2.	Richard Footman, and Company, for three Pieces of red Stroud, delivered Joseph Fox, Esq; for the Use of the Province,	24	0	11
		Joseph Hillborn, for 1,003 Ells of Oznabrigs, and 2 lb. of Thread, bought by B. F. Esq; for Ditto,	75	13	6
	3.	Peter Dicks, for 4 T. 9 C. 1 Q. 25 lb. Bar Iron, delivered Thomas Janvier, per Order of the Commissioners, for the Use of the Province,	102	17	11
		John Hambright, for Recruiting Service,	80	0	0
		David Edwards, his Account of Disbursements for Indians in Return Home from the Lancaster Treaty,	6	9	11
		Col. Conrad Weiser, per his Son Frederick, sundry Accounts for victualling Part of the Provincial Forces,	208	7	0
		Hannah Boyd, for Board of H. Montour's Children, and Jagrea's Expences,	26	18	0
	4.	Musgrave Evans, for repickling Beef and Pork, and for 18 Bushels of Salt,	17	14	0
		Jeremiah Warder, for sundry Goods for the Use of the Indians,	290	10	0
		Hermanus Alricks, for 2 C. 3. Q. 15 lb. Lead, delivered to George Croghan, at Carlisle,	7	18	10
	7.	Theophilus Hartman, for two Days Hire of his Waggon and Horses, for transporting Indians,	1	10	0
	8.	William Edmonds, for the Brethren's Disbursements for Indians,	193	9	6
		George Gabriel, for Services as a Battoe-man, and the Enlistment of Men,	27	17	6
	9.	Evan Morgan, his Disbursements for the Province, in full of his Account,	9	2	9
		David Franks, for Goods for the Cherokee Indians, and Sundries for the sick and other Indians, including George Croghan's Acccount,	160	18	11
		John Baynton, to discharge the several Debts contracted for mounting Cannon,	500	0	0
	10.	John Galbreath, per his Wife, for four Horses in the Province Service,	24	8	0
		Andrew Willong, for one Horse, Ditto,	3	16	0
		James Young, towards paying the Battoe-men, and Arrears of Provincial Forces,	500	0	0
	14.	William Shippen, for Medicines for the Provincial Forces,	10	12	6
		Joseph Pugh, paid Thomas James an Error in said Pugh's Account,	6	0	0
		Patrick Davis, for Recruiting Service,	25	0	0
		Joseph Davis, for Belts, Frogs and Cartouch-boxes,	13	5	0
	17.	Patrick Work, for Recruiting Service,	25	0	0
	22.	David Edwards, for his Attendance on the Commissioners,	7	14	0
	24.	James Young, towards paying off the Forces under Col. Armstrong,	2,000	0	0
	30.	William Clapham, for Support of Indian Ogaghradarisha's Son, who he has delivered up to the Care of this Government,	24	5	0
July	1.	William Miller, for three Mares and one Horse in the Province Service,	27	8	0
	4.	William Cooper, for Cart-boxes for the Cannon,	5	15	4
	5.	Jesse Maris and John Cameron, for French Neutrals in Springfield Township,	17	18	3
		John Ross, for Support of 43 Indians at Conestogoe Manor,	68	5	4
		David Jamison, for Recruiting Service,	75	0	0
		John Croker, for Carpenter's Work done at Fort Hunter,	40	10	0
		William Lewis, for French Neutrals,	16	13	10
	6.	Joseph Shippen, junior, for Recruiting Service,	50	0	0
		Joseph Marriot and Richard Parker, for French Neutrals in Philadelphia,	30	5	9
		Ditto, their Account, and former Overseers Account,	70	17	2
	8.	Anthony Benezet, Ditto,	16	4	1
	9.	Frederick Yaisser, for Support of Indians left at Lancaster after the Treaty,	30	16	5
		John Reily, for French Neutrals,	29	6	2
		John Lownes, for Ditto, in full of David Cowpland's Account,	25	12	5
	11.	William West, Esq; for John Smith's Account of 1,000 Wt. of Lead, and Carriage, supplied Col. Armstrong,	27	7	6
		Ditto, for Ditto's Account of Disbursements building a Fort at Carlisle,	32	6	3
		Ditto, for Adam Hoops's Account of Provisions supplied the Western Battalion,	181	16	8½
		Adam Hoops, for Provisions supplied a Detachment to range about Ray's-Town,	126	9	9
		Joseph Fox, Esq; for purchasing and fitting out the Ship Celebre, for the Use of the Province,	3,700	0	0
	12.	Adam Terence, for Smith's Work for Capt. Patterson's Company,	2	19	4
		Joseph Smith, per Ditto, for attending sick Indians, and escorting others to Harris's Ferry,	3	3	0
		John Little, per Ditto, for five Coffins for Indians, who died at Lancaster,	3	15	0
	12.	William Nicholson, for keeping Indians Horses, employed in the Province,	19	12	0
		Adam Terence, for Disbursements at Lancaster for Indians, and for two Horses,	29	9	0
		Carried over,	£ 50,287	12	3¾

1758. *September* 30.

1758. September 30.

				£	s	d
1757. July			Brought over,	50,287	12	3½
	12.	Philip Doyle, for Entertainment of Indians at Ditto, and for ſome of the Provincial Forces,		44	0	0
	13.	Edward Croſton, by the Hands of John Hughes, as per Order,		1,500	0	0
		Rees Meredith, for the Stewards of Bethlehem Account for Indians,		90	0	0
	14.	Richard Peters, Eſq; for the Governor's Expences to Eaſton,		100	0	0
	15.	Thomas Apty, for going Expreſs to Colonel Weiſer, by Order of the Governor,		4	0	0
	16.	James Coultas, Eſq; for apprehending five French Neutrals attempting to eſcape from this Government,		3	10	0
		Lynford Lardner, Eſq; what he advanced to Capt. Davis		13	0	0
		George Croghan, for Expences for Mohawk and Cherokee Indians,		78	7	6
	17.	James Young, towards paying Provincial Forces,		500	0	0
		Charles Moore, for Expences of the Treaty at Eaſton,		1,500	0	0
	26.	William Weſt, Eſq; to be laid out in Goods, choſen by ſaid Weſt and Mr. George Croghan, for a Preſent to the Cherokee Indians at Fort Loudoun,		400	0	0
		John Baynton, Eſq; towards fitting out the Pennſylvania Frigate,		500	0	0
Auguſt	1.	Ditto, for Ditto,		1,000	0	0
	11.	John Larkin, ſundry Accounts for Support of French Neutrals,		16	14	7
	12.	Elizabeth Gray, for Expences of Indians from Bethlehem, on a Meſſage to the Governor,		4	17	10
		Paul Pierce, per John Welch, Account of Waggonage,		5	5	0
		William Nicholſon, Ditto, to Eaſton,		6	0	0
		Jacob Hiltzheimer, Ditto,		6	15	0
		John Welch, for Entertainment of Cherokee Indians at Carliſle,		25	1	0
		Attwood Shute, for a Ton of Bar Iron, delivered Col. William Clapham, by William Cheſney, for the Uſe of Fort Auguſta,		28	0	0
		Robert Armſtrong, for Sundries for the Uſe of the Province,		32	14	3
		Robert Erwin, for Waggonage, and two Horſes loſt, &c.		48	11	0
		William Ruſh, for 4,000 Crowfeet, for the Uſe of the Province,		50	0	0
	16.	Charles Norris, his Diſburſements to Benjamin Franklin and Joſeph Fox, Eſquires, and for ſundry Overſeers of the Poor, for Support of French Neutrals,		699	19	11½
		John Baynton, Eſq; towards fitting out the Pennſylvania Frigate,		1,000	0	0
		Thomas M'Kea, for his Diſburſements for ſundry Indians,		76	11	9
		Thomas Lloyd, for Recruiting Service,		60	0	0
		Ditto, Balance of his Account for Recruiting the Auguſta Regiment,		83	0	6
		Ditto, his Advance to ſundry Officers in the Recruiting Service,		125	0	0
	17.	Joſeph Morris, for one Ton of Bar Lead, for the Uſe of the Province,		41	0	0
		George Croghan, Eſq; what he paid William Sam, an Indian, Expreſs to Diahoga,		22	10	0
	19.	William Weſt, Eſq; for Sundries ſupplied for the Treaty at Eaſton,		129	10	9
		Ditto, for Barnabas Hughes's Account of Proviſions ſupplied the Fort at Swatara,		247	14	10
		Rees Meredith, for George Clouſe's Account of Sundries ſupplied the Indians at Bethlehem,		7	9	4
	22.	John Baynton, Eſq; for defraying the Charges of the Pennſylvania Frigate,		1,000	0	0
	23.	Frederick Smith, for Diſburſements for the Fort at Swatara,		60	2	0
	25.	Robert Thompſon, for Medicines and Attendance of wounded Indians, and ſome in the Small-pox at Lancaſter,		74	4	2
	26.	Andrew Stein, per John Carſon, for 26 Days Hire of a Horſe in the Province Service,		2	12	0
		William Fiſhbourn, for ſundry Accounts of Diſburſements for French Neutrals,		20	11	2
		Deſhler and Pawlet, for Proviſions ſupplied Provincial Forces and Indians,		996	9	11
		James Scott, per Nathaniel Grubb, for French Neutrals,		14	9	1
		John Trapnall, per Alexander Stedman, for James Young's Draft in his Favour,		26	0	0
		James Ennis, for going Expreſs to ſundry Places,		31	5	0
		James Young, towards paying off the Provincial Forces,		1,000	0	0
		Meyer Hart, for his own and Henry Young's Account,		17	18	11
		Wolfgang Hawka, for Smith's Work to the Province Arms,		33	9	11
		John Hayes, for Entertainment of Provincial Soldiers and Indians,		39	6	5
		Jacob Orndt, for Diſburſements for Indians, &c. and for Recruiting Service,		121	12	3
	30.	James Hughes, for Recruiting Service,		25	0	0
		William Nicholſon, for Lewis Montour's and Adam Terence's Expences,		9	8	0
		John Baynton, Eſq; fitting out the Pennſylvania Frigate,		500	0	0
Sept.	1.	John Smith, for Sundries delivered George Croghan, Eſq; for the Cherokees,		11	18	8
	2.	Jacob Brewbacker, per Barnard Hubley, for Sundries for Indians at Lancaſter,		1	2	9
		John Brewbacker, per Ditto, for Ditto,		1	5	11
		Richard Peters, Eſq, for Wampum for Indian Treaties, and Expences Ditto,		189	9	3
	3.	Nicholas Scull, for Subſiſtence for Provincials and Indians during the Treaty,		46	15	3
		William Edmonds, for the Brethren's Account of Diſburſements for Indians, &c.		304	1	10
		John Jones, for Diſburſements, &c. for William Tittamy, who died in his Houſe,		8	10	9
		Samuel Dupui, for dieting Soldiers of Captains Wetterholt's and Reynolds's Companies,		45	4	11
		James Hyndſhaw, for Recruiting Service,		101	5	0
		John Baynton, Eſq; fitting out the Pennſylvania Frigate,		250	0	0
	5.	King Teedyuſcung, as a Meſſenger to the Ohio Indians, £10, and to Samuel Evans, his Interpreter, £4,		14	0	0
	6.	John M'Farland, for repairing Province Arms, &c.		8	19	4
		Thomas Butler, per Francis Weſt, for Ditto,		15	5	2
		John Fricker, for Sundries ſupplied Indians at Eaſton,		21	12	0
		Joſeph Armſtrong, for keeping a Guard in Cumberland County, ſettled by the late Commiſſioners,		74	16	0
		Adam Read, for victualling 41 Men, enliſted in the Province Service,		126	0	0
		Adam Hoops, for Proviſions, &c. ſupplied ſundry Forts,		420	16	2
	9.	John Boyle, for three Horſes entered in the Province Service,		18	0	0
		John Baynton, Eſq; for fitting out the Pennſylvania Frigate,		250	0	0
		David Edwards, for Diſburſements for Indians, Expences in cleaning the Guard-houſe, taking Care of Soldiers Blankets,		29	5	1
		Caleb Evans, per George Mifflin, for his Order drawn on the Commiſſioners, in Part of Work done to Gun Carriages,		50	0	0
		James Young, for paying the Provincial Forces and Battoe-men,		7,600	0	0
	13.	David Evans, for French Neutrals,		3	0	0
		Hannah Boyd, for Entertainment of J. Pumpſhire, and other Indians,		10	18	9
	15.	Joſeph Fox, Eſq; for erecting Barracks for quartering his Majeſty's Forces,		8,000	0	0
	17.	Robert Thomas, for French Neutrals,		4	10	7
	21.	Robert Lloyd, Balance of his Account of Waggonage to Eaſton, with the Governor's Baggage,		1	10	0
		William Crabb, for French Neutrals,		1	10	1
		Jacob Wetterholt, for enliſting 53 Men in the Province Service,		88	6	6
		Jonas Seely, for victualling Soldiers at Fort William,		200	4	2⅓
		Thomas Janvier, for Smith's Work for the Carriages, &c.		295	19	4
		Conrad Weiſer, Balance of his Account, and the Account of Samuel Weiſer, for recruiting, and of Peter and Frederick Weiſer, for victualling Provincial Forces,		629	7	2
			Carried over,	£ 81,533	9	1¼

1757.			£		
		Brought forward,	81,533	9	1¼
Sept.	22.	Ann Eggerton, for Nurſing and Board of an Indian Boy in the Small-pox,	5	11	0
	23.	James Read, Eſq; for ſupporting a Watch at Reading, and Expreſſes to Carliſle, &c.	10	1	6
		Edward Croſton, for victualling the Shamokin Regiment,	2,500	0	0
		Joſeph Davis, for Ammunition Cheſts, &c.	22	7	6
		Richard Parker, for Sundries done, in Copper and Lead, to the fifteen Cannon in the State-houſe Yard,	35	5	1
	22.	Joſeph Simons, per D. Franks, for Sundries delivered Adam Terence for Indians at Lancaſter,	7	18	4
	23.	James Ennis, Expreſs to Carliſle,	6	0	0
		William Maſters, Eſq; for 20 Barrels of Gunpowder for the Pennſylvania Frigate,	200	0	0
		John Hughes Eſq; on Account of Capt. John Van Etten,	200	0	0
		Benjamin Armitage, for Smith's Work for two Ammunition Carts,	13	13	11
		Samuel Brown, for Proviſions, &c. ſupplied the Indians,	9	19	1
Oct.	1.	John Caldwell, for French Neutrals at Springfield,	1	19	10
		Job Dicks, for Ditto,	4	18	7
		Joſeph Phipps, for Ditto, Abington,	13	18	0
	3.	Hugh Roberts, for Smith's Tools, and two Caſks of Nails, for Fort Auguſta,	32	8	2
		Thomas Jarvis, for Expreſs to Annapolis and New-York,	13	10	0
	4.	Moſes Rambo, for French Neutrals at Kingſeſs,	2	13	3
		David Gibſon, for Ditto,	7	17	0
		John Dedier, for Ditto, at Germantown,	8	9	1
	6.	Thomas Apty, for going Expreſs to Carliſle with Diſpatches for Col. Stanwix,	6	0	0
	7.	George Garrett, for ſupplying French Neutrals,	2	14	5
		John Roberts, for French Neutrals, Lower Merion,	3	0	11
		James Coultas, Eſq; for Straw, Wood, &c. ſupplied the Royal Americans,	5	0	3
		John Welch, for James Young's Order in Favour of ſaid Welch,	100	0	0
		John Van Etten, for his Account of Dieting and Liquors ſupplied Provincial Forces,	174	12	3
		William Griffitts, Diſburſements for French Neutrals,	248	19	9
		Jeremiah Warder, for Goods ſupplied for the Indians at Eaſton,	141	6	8
	8.	George Roſs, for ſupplying Indians with Sundries at Lancaſter,	6	5	0
	10.	Thomas Lloyd, for Recruiting Service,	173	16	6
	11.	Adam Miller, for French Neutrals at Cheltenham,	7	12	5
		William Henry, for Sundries for the Uſe of Fort Auguſta,	7	12	5
		William Thompſon, per William Henry, for Capt. Young's Draft on the Commiſſioners,	100	0	0
		James Young, for paying off Col. Weiſer's Battalion, &c.	5,500	0	0
	12.	Dr. Thomas Græme, for Medicines and Attendance on ſundry Indians,	54	13	0
		William Leech, for Painting done to the Cannon, Carriages, &c. &c.	45	16	3
	14.	Conrad Becker, for French Neutrals in the Northern Liberties,	13	7	0
		Jacob Levan, for Proviſions ſupplied Part of Col. Weiſer's Battalion,	342	6	8
		William Thompſon, per Hugh Mercer, for recruiting 50 Men for Col. Armſtrong's Company,	9	7	6
		John Armſtrong, per Ditto, for recruiting his Battalion,	450	10	0
		William Linvill and John Moore, for French Neutrals,	14	12	4½
		Jeremiah Warder, for Duffils for the Auguſta Regiment,	200	0	0
	15.	Doctor Thomas Bond, for Medicines and Attendance on French Neutrals,	62	8	2
		Elias Rambo, for French Neutrals,	2	3	7
	17.	William Weſt, for Martin Lauman's Account of Bread ſupplied Indians,	4	10	0
	18.	Thomas Temple, for French Neutrals in Kennet Townſhip,	6	0	11
		John Zell, for Ditto, in Blockley,	6	1	9½
		John Thomas, for Ditto, in Ditto,	7	4	5
		Jacob Shoemaker, for burying a Number of French Neutrals,	19	9	0
		John Owen, per H. Mercer, ſundry Accounts for repairing Provincial Arms,	38	19	5½
		Samuel Dupui, on Account of Proviſions to be ſupplied a Company of Provincial Troops,	100	0	0
	21.	John Gray, per Richard Walker, for Services done, and in full of his Pay as a Volunteer, on the Kittanning Expedition,	5	0	0
		Benjamin Lievezey, for French Neutrals in Lower Dublin,	8	6	6
		James Wright, for John Reeker's Account of Sundries for Indians in Small pox, &c.	9	5	11
		Samuel Hunter, for Entertainment of Indians going from Lancaſter to Fort Auguſta,	21	2	9
		David Franks, for Storage of the Province Proviſions,	21	5	0
		Joſeph Marriot, Diſburſements for French Neutrals,	84	14	0
		Thomas Lloyd, for his Advance to Lieutenant Clark, for Recruiting Service,	85	1	0
		Benjamin Loxley, for Work and Materials at Wicacoa Fort, &c.	157	12	0½
		John Hughes, and others, towards erecting Buildings, and beginning a Settlement at Wyoming,	500	0	0
	25.	George Shaver, for Carriage of 20 Pieces of Blanketing, delivered at Fort Hunter,	3	2	6
		Col. John Stanwix, per Capt. John Brown, for James Young's Draft on the Commiſſioners,	350	0	0
	26.	William Nicholſon, for a Horſe and Saddle for a Cherokee, and keeping ſundry Indians Horſes,	7	9	0
	28.	Samuel Shaw, for French Neutrals in Cheſter Townſhip,	6	5	0
		John Kerbalt, for Ditto, in Whitemarſh,	7	4	5
		Samuel Endſworth, for five Horſes for the Province Service,	17	0	0
	29.	Hugh Roberts, for Sundries for Buildings at Wyoming,	71	4	8
Nov.	1.	Alexander Edwards, for French Neutrals in Biberry Townſhip,	2	14	7½
		Archibald Douglaſs, for a Horſe for a Cherokee Indian,	5	0	0
		Charles Norris, for Nathaniel Davids and Daniel Richards's Accounts paid by him, for Houſe-rent and Proviſions for French Neutrals,	15	1	9
		Thomas Harris, for ſix Horſes in the Province Service,	21	0	0
		Jacob Morgan, for Bounty and Recruiting Expences of his Company,	103	9	3
	3.	Solomon Fuſſell, ſundry Accounts for French Neutrals,	9	17	3
	4.	Joſeph Fox, Eſq; for eſtabliſhing a Poſt between this City and Carliſle,	72	10	0
		Ditto, for Indian Goods, to begin a Trade with the Indians,	1,000	0	0
	8.	John Reynell, advanced by him for ſending Meſſengers to the Indians, at the Requeſt of George Croghan, Eſq;	100	0	0
		Joſeph Fox, Eſq; for Wood for the Barracks, and Rent of the King's Hoſpital,	350	0	0
		Lynford Lardner, Eſq; to be reſerved for Expences of the Pennſylvania Frigate,	2,000	0	0
		James Young, in Part of Capt. Buſſe's Account,	36	13	6
		Mary Middleton, for Wood and Candles for the King's Hoſpital,	10	19	2
		Hance Hamilton, for Recruiting, and for Sundries for the Uſe of his Company,	59	3	8
		Stewards of Bethlehem, per William Edmonds, for Sundries ſupplied the Indians, &c.	75	11	3½
		Deſhler and Pawlet, for Proviſions for Provincial Forces, and ſundry Indians,	550	19	5
	9.	John Biſſell, for Sundries for Building at Wyoming	21	2	3
	10.	John Harris, for Horſes, and ſundry others this Day delivered,	57	19	11
		Hoops, Buchanan and Weſt, in Part of their Account of Proviſions ſupplied the Forces,	1,660	4	9
			£ 99,991	10	10
		Balance in the Truſtees Hands,	8	9	2
			£ 100,000	0	0

1758. September 30.

Then,

1758. *September* 30. Then, the ſeveral Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being ſigned by Mr. Speaker, by Order of the Houſe,

The Houſe roſe.

INCIDENTAL CHARGES.

Incidental Charges.

	£		
To *William Allen*, Eſq; Chief Juſtice,	200	0	0
To *Lawrence Growdon*, Eſq; ſecond Juſtice,	60	0	0
To the Executors or Adminiſtrators of *Caleb Cowpland*, Eſq; late third Juſtice, and *William Coleman*, Eſq; now third Juſtice, to be adjuſted between them,	60	0	0
To *Richard Patridge*, Eſq; his Salary as Agent, £100 *Sterling*,	157	10	0
To *Robert Charles*, Eſq; his Salary as Agent, £100 *Sterling*,	157	10	0
To the Members of Aſſembly for their Attendance, *per* Liſt,	936	0	3
To *Joſeph Fox*. Eſq; for 40 Days on the Committee of Accounts, and burning Paper-money,	12	0	0
To *John Hughes*, 40 Days on Ditto,	12	0	0
To *Daniel Roberdeau*, 40 Days on Ditto,	12	0	0
To *Richard Pearne*, 40 Days on Ditto,	12	0	0
To *John Morton*, 40 Days on Ditto,	12	0	0
To *Richard Walker*, 1 Day on Ditto,	0	6	0
To *John Baynton*, 40 Days on Ditto,	12	0	0
To *Richard Hockley*, his Account for affixing the Great Seal, *&c.*	13	4	0
To *Richard Peters*, his Salary as Clerk to the Council,	15	0	0
To *Franklin* and *Hall*, their Account for printing the Votes of the Houſe, Laws and Proclamations,	184	5	0
To *Samuel Kirke*, Serjeant at Arms,	8	0	0
To *David Edwards*, Door-keeper, for his Attendance, and other Services, *per* Account,	35	16	5
To *Charles Moore*, as Clerk, and his Account of tranſcribing and engroſſing Bills, *&c.*	165	6	6
To *Iſaac Norris*, Eſq; for extraordinary Services,	20	0	0
To *Joſeph Galloway*, Eſq; for Ditto,	20	0	0
To *Charles Brockden*, for recording Acts, and for Exemplifications, *&c.*	9	15	8
To *Iſſachar Davids*, his Account for delivering *John Hart* to the Sheriff of *Lancaſter* County, in whoſe Cuſtody he was under Execution, and from under that took to be tried at *Philadelphia*, on Suſpicion of Murder,	4	8	0
To *William Dunlap*, for four ſeveral Accounts of Poſtage of Letters to the Governor and Secretary, on Provincial Affairs,	24	13	2
To Ditto, for his Account for Printing, forwarding Diſpatches, and Horſe-hire, on Provincial Affairs,	9	17	6
To *John Baynton*, a Certificate,	12	4	0
	£ 2,165	16	6

WE the Committee have inſpected the Accounts hereby referred to, and find them charged as uſual.

WILLIAM MASTERS, THOMAS YORKE,
JOHN HUGHES, JOHN BAYNTON."

2 AP60

The END of the FOURTH VOLUME.